



REGULAR MEETING OF MUNICIPAL COUNCIL
AGENDA

Tuesday, March 21, 2023, 5:30 p.m.
Franz Wilhelmson Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V8E 0X5

1. CALL TO ORDER

The Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lílwat People, known in their language as Lilwat7úl, and the Squamish People, known in their language as Skwxwú7mesh. We respect and commit to a deep consideration of their history, culture, stewardship and voice.

2. ADOPTION OF AGENDA

That Council adopt the Regular Council Meeting agenda of March 21, 2023.

3. ADOPTION OF MINUTES

That Council adopt the Regular Council Meeting minutes of March 7, 2023.

4. PUBLIC QUESTION AND ANSWER PERIOD

5. MAYOR'S REPORT

6. INFORMATION REPORTS

6.1 4Q 2022 Financial Report No. 23-026 File No. 4530

A presentation by municipal staff.

That Council receive Information Report No. 23-026 – Quarterly Financial Report for the period ended December 31, 2022.

7. ADMINISTRATIVE REPORTS

7.1 DVP01239 – 8317 Crazy Canuck Drive – Auxiliary Building Setback Variance Report No. 23-027 File No. 3090-20-1239

A presentation by municipal staff.

That Council not approve the issuance of Development Variance Permit DVP01239 attached as Appendix C to Administrative Report No. 23-027, to vary the side setback for an auxiliary building used as a sauna from 2.5 metres to 0.35 metres at 8317 Crazy Canuck Drive.

7.2 CM000158 – 6427 Balsam Way – Covenant Modification for Floodproofing Report No. 23-028 File No. 2450-20-0158

No presentation.

That Council approve the modification of Covenant J89733 for 6427 Balsam Way, to change the minimum required flood construction level specified in the covenant to state that no area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the high water level of Alta Creek, and in accordance with the recommendations contained in the professional geotechnical engineers report referencing Project No. KP-221344-00 prepared by Kontur Geotechnical Consultants, dated September 20, 2022.

7.3 CM000160 – 28-2250 Nordic Drive – Covenant Modification For Building Addition Report No. 23-029 File No. 2450-20-0160

No presentation.

That Council approve a modification to Covenant BH130713, to permit up to 5.2 square metres of gross floor area (GFA) to be added to the unit at 28-2250 Nordic Drive consistent with the floor plan attached as Appendix B of Administrative Report No. 23-029, and further require the owner to implement the Green Building Initiatives described in Appendix C of Administrative Report No. 23-029 at time of Building Permit.

7.4 Resort Municipality of Whistler Emergency Social Services Preparedness Grant Report No. 23-030 File No. 7130-00

No presentation.

That Council endorse submission of the grant application to the Union of B.C. Municipalities for the Resort Municipality of Whistler (RMOW) Community Emergency Preparedness Fund (CEPF) Emergency Social Services Preparedness Grant, attached as Appendix A to Report 23-030; and

That Council support the proposed activities in the grant application; and further,

That Council supports the RMOW Emergency Program utilizing the grant and providing overall Grant management, if the funding application is successful.

7.5 DP001925 – 1400 Mount Fee Road – Employee Restricted Housing Development Report No. 23-031 File No. 3060-20-1925

A presentation by municipal staff.

That Council authorize the General Manager of Climate Action, Planning and Development Services to issue Development Permit DP001925 to authorize a new three-storey, 30-unit employee restricted apartment building at 1400 Mount Fee Road, as illustrated on the architectural labelled A-0.00, A-1.02, A-1.02a, A-1.04, A-1.05, A-1.06, A-2.00, A-2.02, A-2.03, A-2.04, A-2.05, A-2.06, A-2.07, A-3.01, A-4.01, A-9.01 prepared by Murdoch + Company Ltd. Dated March 10, 2023, landscape plans labelled L-1.1, L-1.1A, L-1.3, L-2.1 and L-2.1A prepared by Murdoch + Company Ltd. dated March 03, 2023 attached as Appendix A to this Administrative Report 23-031, and civil plans labelled (BP) ESC-1, (BP) S-1, (BP) S-2, (BP) STM-1, (BP) DWY-1, (BP) TYP-1, (BP) GR-1, (BP) SS-1 and (BP) DET-1 prepared by Webster Engineering Ltd. dated November 28, 2022 attached as Appendix B to this Administrative Report 23-031; and

That Council direct staff to advise the applicant that, prior to issuance of DP001925, the following condition must be completed to the satisfaction of the General Manager of Climate Action, Planning and Development Services:

- Provision of landscape security in the amount of \$116,638; and further

That Council require the following items be included as conditions within DP001925:

- a. Development of the site is to be carried out per the recommendations and conclusions of the Environmental Impact Study (Cascade Environmental, December 19, 2022);
- b. All Vaccinium found wild on the property shall be removed;
- c. Trees to be removed must be flagged and approved for removal by the General Manager of Climate Action, Planning and Development Services or designate prior to any removal;
- d. Any tree or vegetation removal that will occur in the bird nesting window (April 1 – September 1) will require a Qualified Environmental Professional or other environmental professional to conduct bird nest surveys prior to any vegetation clearing or removal. Any active nest found must be retained as per s. 34 BC Wildlife Act with an adequate buffer;
- e. Raptor nest survey should be conducted by a Qualified Environmental Professional or other environmental professional prior to any vegetation clearing or removal at any time of the year;
- f. Prior to initiation of works on Lot 2, construction fencing must be installed along the length of the Streamside Protection and Enhancement Area (SPEA) boundary of Wetland #3 in the northern portion of Lot 2A. The fencing shall be inspected by the Environmental Monitor prior to commencement of works. The fencing must also be maintained throughout all development activities;
- g. Upon completion of construction in Lot 2, denuded areas of the Wetland #3 Riparian Ecosystem Protection Area (REPA) must be revegetated with native vegetation at the direction of the project QEP and in accordance with Lot 2 Riparian Restoration Plan Memorandum (Cascade Environmental, January 25, 2023);
- h. All water leaving the area of work must meet or exceed the CCME Water Quality Guidelines for the Protection of Aquatic Life (Environment Canada, 1999) and the BC Water Quality Guidelines for the Protection of Aquatic Life (MOE, 2010);
- i. Use clean, locally sourced fill only to prevent introduction of invasive species through soil/fill deposits;
- j. There shall be no disturbance to or intrusion into the Riparian 30 metre setback area of the Cheakamus River; and
- k. Adhere to and follow all recommendations outlined in the FireSmart Wildfire Hazard Assessment Report (Diamond Head, November 29, 2022).

7.6 Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023 for First and Second Readings Report No. 23-032 File No. 3360-20-1179

A presentation by municipal staff.

That Council give first and second readings to “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023”; and

That Council direct staff to advise the applicant that, prior to Council consideration of adoption of “Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023”, the following conditions must be completed to the satisfaction of the General Manager of Climate Action, Planning and Development Services:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (RMOW) to:
 - a. Secure development on the lands consistent with supported development plans to be finalized prior to adoption;
 - b. Secure a parking management plan outlining the use of resident and visitor parking in conjunction with rental tenancy; and

2. Modify the green building covenant to secure:
 - a. Level 2 electric vehicle chargers for a minimum of 20% of the parking stalls;
 - b. Provision of electrical conduit with access to a circuit (i.e. EV-ready) for all parking stalls;
 - c. Minimum sensible heat recovery effectiveness and energy efficiency level for Heating, Ventilation, and Air Conditioning (HVAC) systems and Energy Recovery Ventilators (ERVs) installed within each dwelling units consistent with the G-28 Green Building Policy; and
 - d. Energy Recovery Ventilators (ERVs) incorporating filters with a Minimum Efficiency Reporting Value (MERV) consistent with the G-28 Green Building Policy; and

That Council authorize the Mayor and Municipal Clerk to execute any necessary legal documents for this application.

7.7 Water and Sewer Valve and Fitting Replacement Project Report No. 23-033 File No. E320-E205

A presentation by municipal staff.

That Council award the contract for the Water and Sewer Valve and Fitting Replacement project in the amount of \$1,311,532.66 (exclusive of GST) to Coastal Mountain Excavations Ltd. in accordance with their tender proposal dated February 21, 2023.

7.8 Sewer Main and Manhole Lining Project Report No. 23-034 File No. E320

A presentation by municipal staff.

That Council award the contract for the Sewer Main and Manhole Lining project in the amount of \$711,023.26 (exclusive of GST) to Mar-Tech Underground Services Ltd. in accordance with their tender proposal dated February 21, 2023.

7.9 RMOW Consent To SLRD Bylaw Amendments – Invasive Species And Sea To Sky Recreational Trails Report No. 23-035 File No. 8374, 8780.01

No presentation.

That Council give participating area approval by consenting, on behalf of the electors of the Resort Municipality of Whistler, to the adoption, by the Squamish-Lillooet Regional District (SLRD), of proposed SLRD Bylaw 1802-2023, cited as “Squamish-Lillooet Regional District Invasive Species Management and Control Service Establishment Bylaw No. 1541-2017, Amendment Bylaw No. 1802-2023”;

That Council give participating area approval by consenting, on behalf of the electors of the Resort Municipality of Whistler, to the adoption, by the Squamish-Lillooet Regional District (SLRD), of proposed SLRD Bylaw 1806-2023, cited as “Sea to Sky Corridor Recreational Trails Service Establishment Bylaw No. 1006-2007, Amendment Bylaw No. 1806-2023”; and

That Council direct staff to notify the SLRD Board of the Resort Municipality of Whistler’s consent for both Bylaw Amendments.

8. MINUTES OF COMMITTEES AND COMMISSIONS

8.1 Liquor Licence Advisory Committee

That Council receive the Regular Meeting minutes of the Liquor Licence Advisory Committee of November 17, 2022.

8.2 Transit Management Advisory Committee

That Council receive the Regular Meeting minutes of the Transit Management Advisory Committee of November 22, 2022.

8.3 Governance and Ethics Standing Committee

That Council receive the Regular Meeting minutes of the Governance and Ethics Standing Committee of January 3, 2023.

8.4 Recreation Leisure Advisory Committee

That Council receive the Regular Meeting minutes of the Recreation Leisure Advisory Committee of February 9, 2023.

9. BYLAWS FOR FIRST AND SECOND READINGS

9.1 Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023

That Council give "Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 RM-CD2 Zone) No. 2390, 2023", first and second readings.

10. BYLAWS FOR ADOPTION

10.1 Five-Year Financial Plan 2023-2027 Amendment Bylaw (Cheakamus Crossing Phase 2, Lot 2) No. 2396, 2023

That Council adopt “Five-Year Financial Plan 2023-2027 Amendment Bylaw (Cheakamus Crossing Phase 2, Lot 2) No. 2396, 2023”.

11. OTHER BUSINESS

11.1 Bylaw Officer Appointment

Whereas the Council of the Resort Municipality of Whistler (RMOW) wishes to appoint John Beith as a Bylaw Officer pursuant to section 36 of the Police Act, and upon John Beith swearing the oath pursuant to section 1(b) of Police Oath/Solemn Affirmation Regulation, before a Commissioner for taking Affidavits in the Province of British Columbia, the RMOW hereby appoints John Beith as a Bylaw Officer to perform the functions and duties specified in the Bylaw Officer job description.

12. CORRESPONDENCE

12.1 Help Cities Lead Report Back Subject File No. 3009

Correspondence from W. Cole-Hamilton regarding the Helping Cities Lead Campaign.

12.2 Extended Producer Responsibility (EPR) Program Subject File No. 3009

Correspondence from Hon. G. Heyman regarding the EPR Program.

12.3 Whistler Transit Labour Shortage and Rental Rates File No. 3009

Correspondence from B. Becker regarding Whistler Transit labour shortage and rental rates.

12.4 4500 Northlands Public Engagement Process File No. 3009

Correspondence from J. Konig regarding 4500 Northlands public engagement process.

13. Light-up and Proclamation Requests

13.1 Mucopolysaccharidoses Awareness Day File No. 3009.1

Correspondence from J. Chee, requesting the Fitzsimmons Covered Bridge be lit blue and yellow on May 15, 2023, in support of Mucopolysaccharidoses Awareness Day.

13.2 Tourette Syndrome Awareness Month File No. 3009.1

Correspondence from L. McCoy, requesting the Fitzsimmons Covered Bridge be lit teal on May 28, 2023, in support Tourette Syndrome Awareness Month.

13.3 International Trigeminal Neuralgia Awareness Day File No. 3009.1

Correspondence from K. Somers, requesting the Fitzsimmons Covered Bridge be lit teal on October 7, 2023, in support International Trigeminal Neuralgia Awareness Day.

13.4 International Day Against Homophobia and Transphobia File No. 3009.1

Correspondence from L. Breault, requesting the May 17, 2023 be proclaimed International Day Against Homophobia and Transphobia.

14. TERMINATION

That Council terminate the Regular Council Meeting of March 21, 2023.