



PUBLIC HEARING OF MUNICIPAL COUNCIL
AGENDA

Tuesday, October 22, 2019, 6:00 p.m.

Franz Wilhelmsen Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V8E 0X5

1. Call to Order

This Public Hearing is convened pursuant to section 464 of the *Local Government Act* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) Bylaw No. 2242, 2019" (the "proposed Bylaw").

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed Bylaw. No one will be discouraged or prevented from making their views known. However, it is important that remarks be restricted to matters contained in the proposed Bylaw.

When speaking, please commence your remarks by clearly stating your name and address.

Members of Council may ask questions following presentations; however, the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw.

2. Purpose of "Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) Bylaw No. 2242, 2019"

As stated in the Notice of Public Hearing, the purpose of "Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) Bylaw No. 2242, 2019" is to authorize Home-based Artist Studios to sell products and materials produced on the premises, without the requirement for a Temporary Use Permit.

3. Submissions

Submissions by any persons concerning the proposed Bylaw.

4. Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

5. MOTION TO CLOSE THE PUBLIC HEARING

That the Public Hearing for "Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) Bylaw No. 2242, 2019" be closed.

PUBLIC HEARING DOCUMENT INDEX

Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-based Artist Studios) No. 2242, 2019		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing	22-Oct-19	Notice of Public Hearing (scheduled for October 22, 2019)
Proposed Bylaw		Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-based Artist Studios) No. 2242, 2019
Bylaw		Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019
Council Report 19-128	8-Oct-19	Administrative Report to Council requesting consideration of first and second readings of the proposed bylaw and permission to schedule a public hearing
Council Report 16-094	26-Jul-16	Administrative Report to Council: Fees for Home-Based Artist Studios
Council Report 15-139	17-Nov-15	Administrative Report to Council requesting Community Cultural Plan Implementation: Home-Based Artist Studios, Community Cultural Facilities and Artist /Artisan Markets
Presentation Slides	8-Oct-19	Presentation slides for report to Council
Council Minutes	8-Oct-19	Minutes of the Regular Meeting of Council of October 8, 2019 DRAFT
Correspondence		Correspondence will be added to the package as it is received



THE RESORT MUNICIPALITY OF WHISTLER
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NOTICE OF PUBLIC HEARING

TUESDAY, OCTOBER 22, 2019 – 6:00 P.M.

MAURY YOUNG ARTS CENTRE

Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (DELETE TEMPORARY USE PERMITS FOR HOME-BASED ARTIST STUDIOS) NO. 2242, 2019

SUBJECT LANDS:

Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-based Artist Studios) No. 2242, 2019 (the “Proposed Bylaw”) affects all lands within all zones in which residential uses are permitted under the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015.

PURPOSE:

In general terms, the purpose of the Proposed Bylaw is to authorize Home-based Artist Studios to sell products and materials produced on the premises, without the requirement for a Temporary Use Permit.

INSPECTION OF DOCUMENTS:

A copy of the Proposed Bylaw and relevant background documentation may be inspected at the Reception Desk of Municipal Hall at 4325 Blackcomb Way, Whistler, BC, during regular office hours of 8:00 a.m. to 4:30 p.m., from Monday to Friday (statutory holidays excluded) from October 10, 2019 to and including October 22, 2019.

PUBLIC PARTICIPATION:

All persons who believe their interest in property is affected by the Proposed Bylaw will be afforded a reasonable opportunity to be heard by Council at the Public Hearing.

Written comments must be addressed to “Mayor and Council”, and include a mailing address and must be submitted prior to the Public Hearing (by 4:00 p.m. on October 22, 2019):

Email: corporate@whistler.ca
Fax: 604-935-8109
Hard Copy: Legislative Services Department
4325 Blackcomb Way
Whistler BC V8E 0L2

All submissions included in the Public Hearing Package will form part of the public record. The Package will be available on our website at www.whistler.ca with other associated information.

After the conclusion of this Public Hearing, Council cannot receive representations from the public on the Proposed Bylaw.

**RESORT MUNICIPALITY OF WHISTLER
ZONING AMENDMENT BYLAW (DELETE TEMPORARY USE PERMITS FOR HOME-BASED
ARTIST STUDIOS) NO. 2242, 2019**

A BYLAW TO AMEND ZONING AND PARKING BYLAW NO. 303, 2015

WHEREAS Council may, by bylaw, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, regulate the use of land, buildings and structures within the zones, and prohibit any use in any zone;

NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) Bylaw No. 2242, 2019”.
2. Zoning and Parking Bylaw No. 303, 2015 is amended as follows:
 - (a) The definition of “Home-based Artist Studio” set out in section 31 of Part 5 “General Regulations” is removed from that section and inserted, in alphabetical order, to the definitions listed in subsection (1) of Part 2 “Interpretation”.
 - (b) All of the remaining provisions of Part 5, Section 31 are deleted.
 - (c) In Part 5, Section 12 “Home Occupation Use”:
 - i. subsection (d) is replaced with: “no products or materials are sold from a home occupation use located in a Residential zone, other than a Home-based Artist Studio which is permitted to sell artwork and crafts produced on the same premises”; and,
 - ii. subsection (e) is deleted.

GIVEN FIRST AND SECOND READINGS this 8th day of October, 2019.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this ____ day of _____, 2019.

GIVEN THIRD READING this ____ day of _____, 2019.

Approved by the Minister of Transportation and Infrastructure this ____ day of _____, 2019.

ADOPTED by the Council this ____ day of _____, 2019.

Jack Crompton,
Mayor

Alba Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019".

Alba Banman,
Municipal Clerk

**RESORT MUNICIPALITY OF WHISTLER
SIGN BYLAW AMENDMENT BYLAW (HOME-BASED ARTIST STUDIOS) NO. 2247, 2019**

A BYLAW TO AMEND SIGN BYLAW NO. 558, 1987

WHEREAS Council has enacted a sign bylaw and wishes to amend it;

NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as "Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019".
2. Sign Bylaw No. 558, 1987 is amended by changing the definition of "Home-Based Artist Studio" under Section 2 Definitions to: "means a Home-Based Artist Studio as defined under Zoning and Parking Bylaw No. 303, 2015 for which a valid Resort Municipality of Whistler business licence has been issued."

GIVEN FIRST AND SECOND READINGS this 8th day of October, 2019.

GIVEN THIRD READING this ____ day of _____, 2019.

ADOPTED by the Council this ____ day of _____, 2019.

Jack Crompton,
Mayor

Alba Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019".

Alba Banman,
Municipal Clerk



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 8, 2019
FROM: Resort Experience
SUBJECT: AMENDMENTS TO ZONING AND SIGN BYLAWS TO REMOVE TEMPORARY USE PERMIT REQUIREMENT FOR HOME-BASED ARTIST STUDIOS

REPORT: 19-128
FILE: RZ1163

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council consider giving first and second readings to “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019”;

That Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019”, and to advertise for same in the local newspaper; and

That Council consider giving first and second readings to “Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019”.

REFERENCES

“Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019” (Not attached)

“Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019” (Not attached)

Administrative Report to Council No. 15-139 – Community Cultural Plan Implementation: Home-Based Artist Studios, Community Cultural Facilities and Artist/Artisan Markets, dated November 17, 2015 (Not attached)

Administrative Report to Council No. 16-094 – Fees For Home-Based Artist Studios, dated July 26, 2016 (Not attached)

PURPOSE OF REPORT

The purpose of this Report is to present two bylaw amendments to Council to remove the temporary use permit (TUP) requirement for Home-Based Artist Studios and to permit these studios as a home occupation use in residential zones under the Zoning Bylaw, including the right to sell products and materials from these studios. In particular, this report presents “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019” and “Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019” to Council for consideration of first and second readings. This report also requests that Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019”.

DISCUSSION

Background

On September 3, 2013, Council received the Whistler Community Cultural Plan, which contained recommendations to promote arts, heritage and culture in Whistler. In 2015, as part of the actions taken to implement these recommendations, staff carried out a regulatory review and associated consultation related to ways to support Home-Based Artist Studios. This work indicated that these studios were permitted as home occupations under the Resort Municipality of Whistler (RMOW) Zoning Bylaw, but the sale of art directly from these studios was prohibited. Signage was also limited to a single fascia sign, which is the sign allowance for businesses or professions carried on within a residence as a home occupation. The analysis concluded that bylaw and permitting changes were required to further support Home-Based Artist Studios and that an initial trial TUP program was desirable to test sales from Home-Based Artist Studios, assess the potential extent of these studios throughout the community and determine their neighbourhood compatibility.

Following this analysis and consultation, Administrative Report to Council No. 15-139 was presented to Council on November 17, 2015. This report introduced three amending bylaws related to legalizing sales from Home-Based Artist Studios through a TUP system. Council adopted these amending bylaws on January 26, 2016. These amending bylaws were:

- “Zoning Amendment Bylaw (Temporary Use Permits) No. 2096, 2015”, which amended the Part 5 “General Regulations” of the Zoning Bylaw to authorize sales from Home-Based Artist Studios through the issuance of TUPs;
- “Land Use Procedures Amendment Bylaw (Temporary Use Permits) No. 2097, 2015”, which established procedures and fees for approving TUPs (with the TUP fee subsequently being reduced in August 2016 by “Land Use Procedures and Fees Amendment Bylaw (Fees for Home-Based Artist Studios) No. 2122, 2016”); and
- “Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2098, 2015”, which allowed a Home-Based Artist Studio with a TUP to install one freestanding sign and one sandwich board in addition to the fascia sign.

TUPs are authorized by section 492 of the *Local Government Act*. Section 497 of the *Local Government Act* sets the maximum time limit for a TUP to three years and allows the permit to be renewed once. In Whistler, TUPs were used briefly during the 2010 Olympic and Paralympic Winter Games to permit Games-related activities, but were not used again until the decision to test the regulation of Home-Based Artist Studios.

On November 17, 2015, Council also directed staff to conduct a review of the TUP program within one year of the date of adoption of “Zoning Amendment Bylaw (Temporary Use Permits) No. 2096, 2015” and to bring forward any recommended changes to relevant bylaws. Staff considered it prudent to extend the program review period and are bringing forward an evaluation of the TUP program and recommended bylaw amendments through this Report.

Evaluation of the TUP Program

The TUP program was intended to be a pilot program that would be reviewed after implementation. Since the TUP program was enacted in 2016, four Home-Based Artist Studios have received TUPs under the program. These TUPs are set to expire in November 2019. The RMOW has received no complaints about these studios and no issues or negative concerns have been identified with regard to

permitting Home-Based Artist Studios as home occupations in residential neighbourhoods. Staff's review of the TUP program indicates that TUPs should no longer be required for Home-Based Artist Studios and that these studios should be permitted as a home occupation use in residential zones under the Zoning Bylaw. If the proposed bylaw amendments are adopted, the only differences between these studios and other home occupations is that the Zoning Bylaw would permit products and materials to be sold from Home-Based Artist Studios but not other types of Home-Based businesses and the Sign Bylaw would permit Home-Based Artist Studios to have two additional signs.

Recommended Bylaw Amendments

Removing the TUP requirement for Home-Based Artist Studios requires amendments to *Zoning and Parking Bylaw No. 303, 2015* and *Sign Bylaw No. 558, 1987*. The provisions related to TUPs in the *Land Use Procedures and Fees Bylaw No. 2019, 2012* are general in nature and not specifically related to Home-Based Artist Studios; as such, amendments to this bylaw are not recommended at this time.

If the proposed zoning and sign bylaw amendments are adopted by Council, the RMOW permits required for Home-Based Artist Studios will be the same as that for other home occupation businesses. Specifically, like other home occupations, each Home-Based Artist Studio will require a valid business licence and sign permit from the RMOW. As owners of Home-Based Artist Studios would no longer require a TUP, the proposed amendments will streamline the RMOW's regulatory process for these studios. Studio owners will also experience a reduction in RMOW fees as they will no longer need to pay for a TUP, which costs \$600 for the first three years and \$250 for a renewal after the three year period.

Zoning Amendment Bylaw

The existing provisions related to "Temporary Use Permits for Home-Based Artist Studios" are contained within section 31 of Part 5 "General Regulations" of *Zoning and Parking Bylaw No. 303, 2015*. The zoning amendment bylaw moves the definition of "Home-Based Artist Studio" from section 31 of Part 5 to the definitions listed in subsection (1) of Part 2 "Interpretation". It then deletes all of the remaining provisions of section 31 in Part 5.

The zoning amendment bylaw also revises the "Home Occupation Use" regulations in section 12 of Part 5. In particular, it amends subsection 1(d) to allow products or materials to be sold from a Home-Based Artist Studio. It also deletes provision 1(e), which requires TUPs for Home-Based Artist Studios.

Sign Bylaw Amendment Bylaw

The proposed amendment to the Sign Bylaw changes the definition of "Home-Based Artist Studio" under Section 2 "Definitions" by replacing the reference to "valid temporary use permit" with "valid Resort Municipality of Whistler business licence". As such, the revised definition of "Home-Based Artist Studio" would become: "means a Home-Based Artist Studio as defined under Zoning and Parking Bylaw No. 303, 2015 for which a valid Resort Municipality of Whistler business licence has been issued." Home-Based Artist Studios would still be allowed to have one freestanding sign and one sandwich board in addition to the fascia sign.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts, Culture & Heritage	Arts, culture and heritage, and their local creators and contributors, are appreciated and supported as cornerstones of the resort community's health, vitality and economic prosperity	Removing the TUP requirement supports local and emerging artists by simplifying the RMOW's permitting process for Home-Based Artist Studios. Owners of these studios will also experience a reduction in RMOW fees as they will no longer need to pay for TUPs.
Arts, Culture & Heritage	A range of arts, cultural and heritage opportunities are meaningful, accessible and financially affordable	
Economic	Locally owned and operated businesses thrive and are an encouraged component of a healthy business mix	Local and emerging artists will benefit from the proposed amending bylaws because the removal of the TUP requirement streamlines the RMOW's regulatory process for Home-Based Artist Studios.

The proposed bylaw amendments do not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

	Policy	Comments
Official Community Plan	Policy 4.3.3 Other commercial development will be limited to small amounts of space for local convenience commercial uses, personal service uses, and food and beverage uses associated with commercial accommodation. These uses should be scaled to meet only the needs of the immediate area and should not adversely affect commercial uses in the Whistler Village, Blackcomb Bench, and Whistler Creek areas.	Home-Based Artist Studios support local and emerging artists who live in residential neighbourhoods. The home occupation nature of these studios limits their scale and thereby ensures they do not conflict with commercial offerings in core commercial areas. Under the TUP trial program, there were no complaints about the permitted studios.

BUDGET CONSIDERATIONS

There are no budget considerations. All costs associated with amendment bylaw preparation, the public hearing, notices and legal fees will be covered under the existing Planning Department budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

No formal community engagement has been undertaken to date with respect to the proposed amendments to the zoning and sign bylaws. A public hearing, which is subject to public notice requirements, is required as a part of the statutory process for consideration and adoption of the zoning bylaw amendment. The proposed change to permit this use under zoning without a TUP requirement is strongly supported by Arts Whistler.

SUMMARY

This report presents “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019” and “Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019” to Council for consideration of first and second readings in order to remove the TUP requirement for Home-Based Artist Studios and to permit these studios as a home occupation use in residential zones under the Zoning Bylaw. The Report also requests Council authorize scheduling of a public hearing for the proposed zoning amendment bylaw.

Respectfully submitted,

Courtney Beaubien
ACTING SENIOR PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: July 26, 2016

REPORT: 16-094

FROM: Resort Experience

FILE: 7647.01

SUBJECT: FEES FOR HOME-BASED ARTIST STUDIOS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council consider giving first, second and third readings to Land Use Procedures and Fees Amendment Bylaw (Fees for Home-based Artist Studios) No. 2122, 2016.

REFERENCES

Community Cultural Plan 2013

Economic Partnership Initiative (EPI) 2013

Council Report No. 13-080 - September 3rd 2013 (not attached)

Council Report No. 14-078 - July 2nd 2014 (not attached).

Council Report No. 15-139 - November 17th 2015 (not attached)

PURPOSE OF REPORT

The purpose of this report is to provide an overview of recent stakeholder engagement and policy development undertaken to further implement bylaw amendments that were adopted by Council on January 26th 2016 allowing the RMOW to issue temporary use permits authorizing retail sales from Home-based Artist Studios. Land Use Procedures and Fees Amendment Bylaw (Fees for Home-based Artist Studios) No. 2122, 2016, a bylaw to lower the fee for temporary use permits by \$150, is presented for Council consideration.

DISCUSSION

Background

On January 26th 2016 Council adopted zoning regulations allowing retail sales from Home-based Artist Studios through the issuance of temporary use permits. Amendments to the zoning bylaw included the addition of subsections 31(19) to 31(23) of Part 5, which established a committee to determine if works proposed to be sold from a Home-based Artist Studio constitute art or artisan crafts. The bylaw regulations call for the committee to be comprised of the following representatives:

1. One member of Council.
2. One person appointed by the Whistler Arts Council.
3. One person appointed by the Whistler Chamber of Commerce.
4. One person appointed by Tourism Whistler.

5. One staff person from the RMOW Resort Experience Division, appointed by the General Manager of Resort Experience.

The committee review process was developed in response to stakeholder feedback expressing a desire to ensure that goods sold from Home-based Artist Studios clearly exhibited artistic qualities—i.e. that they were produced on site, unique and skillfully crafted.

Companion amendments were made to the Land Use Procedures and Fees Bylaw setting a \$750 application fee for a temporary use permit, allowing the fee to be paid in three equal installments and setting a renewal fee for a temporary use permit of \$250. The permit fees were set based on the estimated cost to the RMOW to process applications for temporary use permits.

At the public hearing prior to adoption of the bylaws on December 1st 2015, concerns were raised by some stakeholders regarding the temporary use permit application fees and the role of a review committee. When the bylaws were adopted by Council on January 26th 2016, Council directed staff to reengage stakeholders to further explore these concerns. Council also appointed one Councillor to the committee at the same meeting.

After adoption of the bylaws, staff began seeking nominations for the committee. No responses to the request for nominations were received. Staff also began working with Arts Whistler to plan a stakeholder engagement session pursuant to Council's direction. Separately, Arts Whistler had been working on programs to support home-based artists and artisans through marketing, studio tours, funding, capacity building workshops and other services. It was realized that the committee review process could be replaced with a review by Arts Whistler. Prior to the applicant submitting their application, Arts Whistler would review the artist's or artisan's works and provide the artist with a written endorsement that would be included in the application for a temporary use permit. Without the need to administer the committee review process, the overall cost to the RMOW to process applications would be reduced; allowing for lower application fees. The RMOW would continue to review permit applications for compliance with other temporary use permit guidelines and RMOW bylaws and make the final decision on whether or not to issue a permit.

Staff and representatives from Arts Whistler met with stakeholders on May 31st 2016. An overview of stakeholder engagement process used to develop the bylaws, including a review of the principles and ideas that informed the development of the temporary use permit regulations was provided. The revised review process and associated fee reductions were also proposed. Approximately eight stakeholders attended the meeting and were generally supportive of replacing the proposed review process and the reduced application fees. Stakeholders also reiterated the desire for artwork to be "juried" to ensure that the artistic qualities of Whistler cultural offerings would be maintained.

Approval of temporary use permits is delegated to the General Manager of Resort Experience. The existing temporary use permit guidelines are flexible enough to allow the existing committee review process to be replaced with the proposed Arts Whistler endorsement process without a zoning bylaw amendment. However, fees for applications must be set or amended by bylaw. Therefore, reducing the application fee requires an amendment to the Land Use Procedures and Fees Bylaw to be approved by Council.

Proposed Bylaw

The proposed bylaw reduces the application fee for a Temporary Use Permit from \$750 to \$600. Existing provisions in the bylaw allow this fee to be paid in annual installments equal to 1/3 of the application fee; meaning annual installments will be \$200 instead of \$250.

Discussion

The proposed fee reductions resulting from changes to the temporary use permit process will reduce costs and processing time for both the RMOW and studio operators while remaining consistent with the intent of the new regulations approved by Council on January 26th 2016. The proposed fee reduction is equivalent to the cost savings of eliminating the committee review process with the revised fee of \$600 being sufficient to cover the remaining costs for permit review, report writing, public notification, and other application costs.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts Culture & Heritage	A range of authentic and creative arts, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors.	The proposed bylaw supports, cultural offerings that elevate Whistler's overall cultural product be providing a streamlined and affordable application process.
Arts Culture & Heritage	Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy.	The proposed bylaw supports a mix of cultural offerings and emerging artists. In turn this will support a diverse product that will attract more visitors.
Arts Culture & Heritage	Arts, culture and heritage, and their local creators and contributors, are appreciated and supported as cornerstones of the resort community's health, vitality and economic prosperity.	Local and emerging artists will benefit from the proposed bylaw through reduced application costs, and a streamlined approval process.
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	Supporting local and emerging artists will support authentic cultural attractions to create an ever-evolving contribution to the visitor experience.

OTHER POLICY CONSIDERATIONS

None

BUDGET CONSIDERATIONS

All costs of preparing the bylaw, can be covered under the existing planning department budget. The reduced application fee is sufficient to cover the cost of processing temporary use permit applications for Home-based Artist Studios.

COMMUNITY ENGAGEMENT AND CONSULTATION

A stakeholder engagement meeting was held on May 31st 2016 and the changes to the review process and associated fee reduction received positive feedback. A public hearing is not required for an amendment to the Land Use Procedures and Fees bylaw.

SUMMARY

This report presents Land Use Procedures and Fees Bylaw Amendment Bylaw (Fees for Home-based Artist Studios) No. 2122, 2016 for Council consideration. If approved by Council, the bylaw would lower the application fee for a temporary use permit from \$750 to \$600 and subsequently reduce the fee for installments from \$250 to \$200. These fee reductions are made possible by changes to the temporary use permit review process where review by a committee of RMOW-appointed representatives would be replaced with an endorsement by Arts Whistler. The change in process does not require a bylaw amendment. Staff are recommending approval of Land Use Procedures and Fees Amendment Bylaw (Fees for Home-based Artist Studios) No. 2122, 2016 as proposed.

Respectfully submitted,

Jake Belobaba
SENIOR PLANNER
For
Jan Jansen
General Manager Resort Experience.

**RESORT MUNICIPALITY OF WHISTLER
LAND USE PROCEDURES AND FEES AMENDMENT BYLAW
(Fees for Home-Based Artist Studios) NO. 2122, 2016**

A BYLAW TO AMEND LAND USE PROCEDURES AND FEES BYLAW NO. 2019, 2012

WHEREAS a local government that has adopted an official community plan bylaw or a zoning bylaw must, by bylaw, define procedures under which an owner of land may apply for an amendment to the plan or bylaw or for the issuance of a permit under this Part; and

WHEREAS a local government may, by bylaw, impose application fees for the issuance of a temporary use permit.

NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as "Land Use Procedures and Fees Amendment Bylaw (Fees For Home-Based Artist Studios) No. 2122, 2016 ".
2. Land Use Procedures and Fees Bylaw No. 2019, 2012 is amended by changing the fee for an application for a temporary use permit under Schedule A, item 6, from \$750 to \$600.

Given first, second and third readings this _____ day of _____, 2016.

Adopted by the Council this ____ day of _____ 2016.

Nancy Wilhelm-Morden,
Mayor

Laurie-Anne Schimek
Municipal Clerk

I HEREBY CERTIFY that this is a
true copy of Land Use Procedures
and Fees Bylaw Amendment Bylaw
(Fees for Home-Based Studios)
No. 2122, 2016.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: November 17th, 2015

REPORT: 15-139

FROM: Resort Experience

FILE: 7647.01

SUBJECT: COMMUNITY CULTURAL PLAN IMPLEMENTATION: HOME-BASED ARTIST STUDIOS, COMMUNITY CULTURAL FACILITIES AND ARTIST/ARTISAN MARKETS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Resort Experience be endorsed.

RECOMMENDATION

That Council consider giving first and second readings to Zoning Amendment Bylaw (Home-based Artist Studios) No. 2096, 2015; and,

That Council authorize staff to schedule a public hearing regarding Zoning Amendment Bylaw (Home-based Artist Studios) No. 2096, 2015 and to advertise for same in a local newspaper; and,

That Council consider giving first and second readings to Land Use Procedures and Fees Bylaw Amendment Bylaw (Temporary Use Permits for Home-based Artist Studios) No. 2097 2015; and,

That Council consider giving first and second readings to Sign Bylaw Amendment Bylaw (Home-based Artist Studios) No. 2098, 2015; and,

That upon adoption of Bylaw 2096, Council pass a resolution pursuant to s. 45.1 of Zoning Bylaw 303 appointing one member of Council to the advisory committee for Home-based Artist Studios; and further,

That Council direct staff to conduct a review of the temporary use permit program within one year of the date of adoption of bylaw 2096 and bring forward any recommended changes to relevant bylaws at that time.

REFERENCES

Community Cultural Plan 2013

Economic Partnership Initiative (EPI) 2013

Administrative Report 13-080: Council Report from September 3rd 2013 (not attached)

Administrative Report 14-078: Council Report from July 2nd 2014 (not attached).

PURPOSE OF REPORT

The purpose of this report is to provide an overview of recent policy work undertaken to implement recommendations of the Community Cultural Plan and to present bylaw amendments to Council that will support Home-based Artist Studios. These include Zoning Amendment Bylaw (Home-based Artist

Studios) No. 2096, 2015 for first and second readings, Land Use Procedures and Fees Bylaw Amendment Bylaw (Temporary Use Permits for Home-based Artist Studios) No. 2097, 2015 for first and second readings and Sign Bylaw Amendment Bylaw (Home-based Artist Studios) No. 2098 for first and second readings.

DISCUSSION

Background

On September 3rd 2013, Council received the Community Cultural Plan which contained 31 recommendations to promote arts, heritage and culture in Whistler including:

- Recommendation # 4: Provide opportunities for local artists to develop and showcase their work.
- Recommendation #5: Ensure local artists have opportunities to earn income from their work.
- Recommendation # 7: Create a program of self-guided tours of artists' home based studios.
- Recommendation #28: Revise existing by-laws that prohibit sales through home-based studios.
- Recommendation #14: Create a more visible community art gallery featuring Sea to Sky artists.

In 2014, together with the Community Cultural Officer, staff began working on implementing the above recommendations. Council received a presentation from the Community Cultural Officer at the October 7th Committee of a Whole meeting outlining a general implementation and engagement strategy for the Community Cultural Plan. Among other things, the presentation identified sales from Home-based Artist Studios, Artist and Artisan Markets, and sales from Community Cultural Facilities as potential focus areas for 2015.

Since these focus areas were similar and interrelated, staff felt that they should be bundled into a single project. Staff developed a comprehensive, consensus-based engagement process focusing on all three topics. Stakeholder representatives from Whistler's arts community, including artists and gallery owners were identified to participate in the process. This process is described in greater detail under 'Community Engagement and Consultation' below.

The engagement process revealed that there was general support for sales from Home-based Artist Studios and associated sales, Artist and Artisan Markets and sales from Community Cultural Facilities. Generally, stakeholders felt that these offerings, if equitably supported, would contribute and be complementary to Whistler's broader arts product. The supported concept for each offering can be summarized as follows:

- Artist and Artisan Markets: Build upon existing events (e.g. Farmers Market, Art Walk) with a single, annual art event located in the Village and open to both local artists and galleries.
- Community Cultural facilities: Generally support retail sales from Community Cultural Facilities with a focus on local and emerging artists whose work is not yet easily marketable.
- Home-based Artist Studios: Expand the range of these studios by allowing customer visits and signage while mitigating impacts on neighbourhoods. Recognize that these studios are not the only facilities that can (or should) support local and emerging artists.

A set of guiding principles (Appendix A) were developed to address questions of exactly how this expanded range of arts-related land uses should be regulated. Existing and available regulatory tools (e.g. zoning, Temporary use permits etc.) were examined to determine the best approach.

For Artist and Artisan Markets, zoning amendments approved in July 2014, allowing special events in the Village, already allow this type of programming. Any new initiatives related to Artist and Artisan Markets beyond those that currently exist (e.g. Bizarre Bazaar, Farmers Market) will be brought forward for Council's prior consideration.

For Community Cultural Facilities, it was determined that most existing and proposed facilities are permitted through zoning. However, for some locations, zoning amendments may be needed to authorize ancillary activities such as retail. Staff intend to bring forward some of these amendments, Such as allowing for retail sales in the community gallery in the Maury Young Arts Centre early in 2016.

It was revealed that a number of bylaw and permitting changes are required to further support Home-based Artist Studios. Currently, these studios are permitted as home occupations under the Zoning Bylaw. However, the sale of art directly from these studios is prohibited. Signage is also limited to a single fascia sign. Feedback during the stakeholder engagement process also uncovered a desire that products sold from Home-based Artist Studios be of high quality and appropriate to Whistler's broader cultural objectives. An initial trial program was seen as a desirable test for sales from Home-based Artist Studios.

There are essentially two regulatory options available to the RMOW to legalize sales from Home-based Artist Studios: Zoning and temporary use permits. The pros and cons of both tools were reviewed with temporary use permits emerging as the preferred approach.

Temporary use permits are authorized under Section 921 of the *Local Government Act* and allow the RMOW to temporarily permit a use that is not specifically authorized in the Zoning Bylaw. The proposed regulations set maximum time limit for a temporary use permit of two years. A municipality must designate areas where temporary use permits may be issued and may establish guidelines for considering and approving them. Temporary use permits were used briefly during the Olympics to permit games-related activities but have not been used since.

Temporary use permits were seen as the most advantageous option for the following reasons:

1. Temporary use permits are considered on a case-by-case basis, incorporate flexible decision making guidelines, are discretionary and can contain site-specific conditions. The combination of these characteristics provides greater flexibility when responding to unique proposals while ensuring any undesirable proposals can be refused.
2. Unlike uses permitted through zoning, temporary use permits are valid for a limited period of time. When the permit expires the municipality can choose to renew the permit or that the use be discontinued.
3. Because temporary use permits do not establish any permanent uses they are an ideal tool to test new land uses before considering allowing them permanently.

Proposed Bylaws

The proposed bylaws are focused primarily on legalizing sales from Home-based Artist Studios. There are three bylaws presented for Council consideration.

Zoning Amendment Bylaw

The proposed zoning amendment bylaw would amend the Zoning Bylaw to authorize sales from Home-based Artist Studios through the issuance of a temporary use permit. Under the proposed zoning amendments, Home-based Artist Studios in existence before November 17th 2015 will be eligible for a temporary use permit. The new rules establish guidelines for considering permits, including nuisance abatement and application requirements, and allow conditions to be imposed to ensure compatibility with surrounding neighbourhoods. The guidelines also establish a committee of representatives that will review the quality and appropriateness of the works proposed to be sold from the studio.

Sign Bylaw Amendment Bylaw

The proposed amendment to the Sign Bylaw will allow a Home-based Artist Studio holding a valid temporary use permit to install one freestanding sign and one sandwich board. These signs must be located on the same property as the Home-based Artist Studio. Currently, only a single fascia sign is permitted for a home occupation. It was felt that amending the sign bylaw to allow these signs for Home-based Artist Studios would result in unique and creative signage that would enhance the visitor experience.

Land Use Procedures Amendment Bylaw

The land use procedures amendment bylaw will create procedures for approving temporary use permits and delegates the authority to approve temporary use permits to the General Manager of Resort Experience. The proposed bylaw also establishes \$750 fee to issue a temporary use permit and a \$300 fee to renew a temporary use permit.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts Culture & Heritage	A range of authentic and creative arts, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors.	The proposed bylaws allow a new, complementary cultural offering that elevates Whistler's overall cultural product.
Arts Culture & Heritage	Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy.	The proposed bylaws expand the mix of cultural offerings and will support emerging artists. In turn this will support a diverse product that will attract more visitors.
Arts Culture & Heritage	Arts, culture and heritage, and their local creators and contributors, are appreciated and supported as cornerstones of the resort community's health, vitality and economic prosperity.	Home-based Artist Studios support emerging and local artists.
Arts Culture & Heritage	There is a physical and organizational focal point for the diversity of arts, culture and heritage activities that spread throughout the community.	The proposed bylaws limit the scale and location of art offerings outside of Whistler Village. The scale of commercial uses outside of the Village will remain appropriate and complementary.
The Built Environment	To maintain vibrancy, Whistler Village is the core of the resort community.	
The Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscape and evoking a dynamic sense of place.	The new regulations will ensure the form and character of neighbourhoods is not impacted.

Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	Local and emerging artists will benefit from the proposed bylaws. As a whole, the profile of Whistler as a tourism destination will be elevated; attracting more visitors and generating economic activity for all local businesses.
Economic	Whistler has a diversified and year-round tourism economy.	Home-based Artist Studios are not weather or season dependant this supports Whistler's more traditional recreational offerings.
Visitor Experience	A diverse range of year-round activities is developed and offered.	
Visitor Experience	Whistler proactively anticipates market trends.	The Community Cultural Plan and EPI recognized arts and cultural offerings as a key component of Whistler's economic diversification and adaptation strategy. Implementing these recommendations is a proactive step into emerging markets.
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	Home-based Artist Studios will be a new and ever-evolving contribution to the visitor experience.

OTHER POLICY CONSIDERATIONS

	Policy	Comments
Official Community Plan	4.3.3 Other commercial development will be limited to small amounts of space for local convenience commercial uses, personal service uses, and food and beverage uses associated with commercial accommodation. These uses should be scaled to meet only the needs of the immediate area and should not adversely affect commercial uses in the Whistler Village, Blackcomb Bench, and Whistler Creek areas.	Home-based Artist Studios support local and emerging artists who live in residential neighbourhoods. The proposed bylaws limit the scale of these businesses so as not to conflict with commercial offerings in core commercial areas.

BUDGET CONSIDERATIONS

All costs of preparing the bylaw, and notifying property owners can be covered under the existing planning department budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

The proposed bylaws have been developed after consultation with stakeholders representing private art galleries, artists, artisans and home based studio operators. Two stakeholder sessions were held to determine principles and ideas that would inform the bylaw development process. The first session was held on April 13th 2015 and the second was held on May 27th 2015. Council also received a progress update at the Committee of the Whole meeting on May 26th 2015.

The first session consisted of two separate workshops with identical formats; one for artists and one for representatives representing commercial galleries and similar businesses. In each session, participants were given an overview of the issues, existing regulatory framework and cultural planning process to date. Then, in small groups, principles and ideas were brainstormed for each of the three categories. These were then presented to the larger group and recorded by staff.

In the second session, the two stakeholder categories (artists and businesses) were combined. A summary of the principles collected from the first session was presented and participants were asked to build upon staff's summary and confirm if the summary accurately reflected the results of the first session. Staff refined the principles and ideas (Appendix A) after the session and these principles were used to guide the bylaw drafting process.

A public hearing will be required prior to adoption Zoning Amendment Bylaw (Home-based Artist Studios) No. 2096, 2015. Staff also intend to report back to the stakeholder group on the new temporary use permit program once the proposed bylaws are adopted.

Once the temporary use permit program has been in operation for one year, staff intend to evaluate the success of the program to determine if the program should be expanded and report back to Council at that time.

SUMMARY

Adopting the proposed temporary use permit system for Home-based Artist Studios provides a flexible approval system that promotes and supports local and emerging artists, diversifies cultural offerings and supports the guest experience; while ensuring compatibility with residential neighbourhoods.

Temporary use permits allow proposals to be considered on a case-by-case basis. Conditions can be imposed for studios which have a higher potential for neighbourhood conflict (e.g. wood carving) or waived for studios likely to have minimal impact (e.g. writing). The limited duration of temporary use permits adds to this flexibility. The RMOW can remove or require new conditions when the permit comes up for renewal to address issues that have emerged during the studios operation. Ultimately, the flexibility of the proposed system ensures that unique and desirable cultural offerings are not unintentionally excluded, while undesirable uses of residential properties remain prohibited.

Establishing a diverse committee to provide recommendations on the quality and appropriateness of products ensures a skillful and equitable evaluation. Products sold under this new program can be expected to add to Whistler's existing inventory of high-quality art and artisan works.

The proposed signage regulations are reasonable and appropriate. The regulations would allow for modestly sized signs and it can be expected that artists will endeavor to craft stylish and creative signs reflective of the products they sell. Unique and authentic studio signage is a staple in other jurisdictions such as Salt Spring Island and the Sunshine Coast which have endorsed the concept of Home-based Artist Studios.

Overall the proposed amendment bylaws are consistent with Whistler 2020, the Official Community plan and are generally supported by stakeholders. For these reasons staff recommend approving the proposed bylaws.

Respectfully submitted,

Jake Belobaba
SENIOR PLANNER
For
Jan Jansen
General Manager Resort Experience.

Appendix A: Principles Developed from Stakeholder Engagement

Category	Principles	Ideas
General	<ul style="list-style-type: none"> Whistler's arts and culture sector has multiple stakeholders who have a desire to collaborate to elevate the arts sector in Whistler. Whistler enjoys a range of cultural offerings; success in one area will not detract, but rather contribute to, success of the entire sector. Support for all stakeholders should be equitable. Artists must be part of the "business" aspect of art, being responsible for promoting, selling, and evolving their product. 	<ul style="list-style-type: none"> Formalize process for ongoing dialogue Cultural hosts Cultural tours
Home-based artist studios	<ul style="list-style-type: none"> General support for home-based studios as a valuable component of Whistler's cultural offerings <ul style="list-style-type: none"> Desire to broaden the concept to "working studios" inclusive of a wider range of opportunities. Sales and similar activities should be allowed in studios. <ul style="list-style-type: none"> Impacts such as noise, traffic, safety must be addressed. Encouraging home-based studios is important. But they are not the only facilities that can support emerging local artists. 	<ul style="list-style-type: none"> Update zoning regulations Support a variety of venues for emerging artists
Artist Market	<ul style="list-style-type: none"> General support for existing markets; i.e. Bizarre Bazaar; Farmers' <ul style="list-style-type: none"> Support should continue for these offerings. Avoid "diluting" the market product with too many different options. <ul style="list-style-type: none"> Focus on existing offerings and a single annual arts festival. General support for a multifaceted <i>annual</i> "art festival" <ul style="list-style-type: none"> Goal: ensure all stakeholders have an opportunity to benefit. Model: build on existing cultural offerings, markets, other events Could: be resort-wide Should: include all stakeholders. 	<ul style="list-style-type: none"> Develop annual art/artisan festival
Community Cultural Facilities	<ul style="list-style-type: none"> General support for community cultural facilities including sales from those facilities. 	<ul style="list-style-type: none">

	<ul style="list-style-type: none">○ Programming, developing and promoting community cultural facilities should support emerging and local artists○ Particularly artists whose work is not easily marketable	
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AMENDMENTS TO ZONING AND SIGN BYLAWS TO REMOVE TEMPORARY USE PERMIT REQUIREMENT FOR HOME- BASED ARTIST STUDIOS (RZ1163)

Council Presentation

October 8, 2019

RESORT MUNICIPALITY OF WHISTLER

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Purpose

- Present two bylaw amendments to Council for first and second readings to no longer require temporary use permits (TUPs) for Home-Based Artist Studios
 - ✓ Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019
 - ✓ Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019
- Request Council authorize staff to schedule a public hearing for the Zoning Amendment Bylaw
- Zoning Amendment Bylaw would authorize Home-Based Artist Studios to sell artwork and crafts produced on the premises without the requirement for a TUP

Background – 2015 Review

- September 3, 2013: Council received the Whistler Community Cultural Plan
 - ✓ Contained recommendations to promote arts, heritage and culture in Whistler
- 2015: staff carried out a regulatory review and consultation to support Home-Based Artist Studios
 - ✓ Work indicated studios were permitted as home occupations under the Zoning Bylaw, but the sale of art directly from these studios was prohibited
 - ✓ Signage was also limited to a single fascia sign, which is the sign allowance for businesses or professions carried on within a residence as a home occupation
- Analysis concluded that bylaw and permitting changes were required to further support Home-Based Artist Studios
- An initial trial TUP program was established to:
 - ✓ Test sales from Home-Based Artist Studios
 - ✓ Assess the potential extent of these studios throughout the community
 - ✓ Determine their neighbourhood compatibility

Background – 2016 Bylaws

- November 17, 2015: three amending bylaws introduced to implement the trial TUP program
 - ✓ Zoning Amendment Bylaw (Temporary Use Permits) No. 2096, 2015
 - Amended Part 5 “General Regulations” of the Zoning Bylaw to authorize sales from Home-Based Artist Studios through the issuance of TUPs along with conditions of issuance
 - ✓ Land Use Procedures Amendment Bylaw (Temporary Use Permits) No. 2097, 2015
 - Established procedures and fees for approving TUPs
 - ✓ Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2098, 2015
 - Allowed a Home-Based Artist Studio with a TUP to install one freestanding sign and one sandwich board in addition to the fascia sign
- January 26, 2016: Council adopted these amending bylaws
- TUP fee subsequently reduced in August 2016 by Land Use Procedures and Fees Amendment Bylaw (Fees for Home-Based Artist Studios) No. 2122, 2016

Evaluation of the TUP Program

- TUP program intended as a pilot program
 - ✓ A “test program” that enabled staff to monitor these studios and determine how to best move forward after reviewing implementation
- Four Home-Based Artist Studios have received TUPs under the program
 - ✓ TUPs set to expire in November 2019
- Staff’s review of the TUP program indicates TUPs should no longer be required for these studios
 - ✓ RMOW has received no complaints about these studios
 - ✓ No issues or negative concerns have been identified with regard to permitting these studios as home occupations
 - ✓ Studios and associated sales of arts and crafts produced on the premises should be permitted as a home occupation use in residential zones under the Zoning Bylaw without a TUP requirement

Recommended Bylaw Amendments

- Removing TUP requirement for Home-Based Artist Studios requires amendments to Zoning and Sign Bylaws
- If bylaw amendments adopted, RMOW permits for these studios will be the same as that for other home occupation businesses
 - ✓ Each studio will require a valid RMOW business licence and sign permit

Zoning Amendment Bylaw

- Moves the definition of “Home-Based Artist Studio” from section 31 of Part 5 to the definitions listed in Part 2 “Interpretation”
- Deletes all of the remaining provisions of section 31 in Part 5
- Revises the “Home Occupation Use” regulations in section 12 of Part 5 to:
 - ✓ Allow products or materials to be sold from a Home-Based Artist Studio
 - Recommend further revision to restrict this to artwork and crafts produced on the premises
 - ✓ Delete the TUP requirement for Home-Based Artist Studios

Sign Bylaw Amendment Bylaw

- Changes the definition of “Home-Based Artist Studio” under Section 2 “Definitions” by replacing the reference to “valid temporary use permit” with “valid Resort Municipality of Whistler business licence”
- Home-Based Artist Studios would still be allowed to have one freestanding sign and one sandwich board in addition to the fascia sign

Key Policy Considerations

- Home-Based Artist Studios support local and emerging artists who live in residential neighbourhoods
- Removing the TUP requirement simplifies the RMOW's permitting process for these studios and reduces the RMOW fees for studio owners
- The home occupation nature of these studios limits their scale and thereby ensures they do not conflict with commercial offerings in core commercial areas
- Under the TUP trial program, there were no complaints about the permitted studios

Community Engagement and Consultation

- A public hearing, which is subject to public notice requirements, is required as a part of the statutory process for consideration and adoption of the zoning amendment bylaw
- The proposed change to permit this use under zoning without a TUP requirement is strongly supported by Arts Whistler

Recommendation

- **That** Council consider giving first and second readings to “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019”;
- With the following additional revision:
 - ✓ Subsection (d) is replaced with: “no products or materials are sold from a home occupation use located in a Residential zone, other than a Home-based Artist Studio **which is permitted to sell artwork and crafts produced on the same premises.**”
- **That** Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019”, and to advertise for same in the local newspaper; and
- **That** Council consider giving first and second readings to “Sign Bylaw Amendment Bylaw (Home- Based Artist Studios) No. 2247, 2019”.

8.3 DP1679 – 1200 Alpha Lake Road – Auxiliary Residential Dwelling Unit

Moved By Councillor R. Forsyth

Seconded By Councillor C. Jewett

That Council approve the revised plans for Development Permit DP1679 for the proposed auxiliary residential dwelling unit at 1200 Alpha Lake Road, as per the revised drawings labelled SK01, SK02, SK04, and SK05, dated September 2019, prepared by Allie Shiell Architect, and attached as Appendix “B” to Administrative Report No. 19-127.

CARRIED

8.4 Amendments to Zoning and Sign Bylaws to Remove Temporary Use Permit Requirement for Home-Based Artist Studios

Moved By Councillor J. Ford

Seconded By Councillor R. Forsyth

That Council consider giving first and second readings to “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019” as amended;

That Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Delete Temporary Use Permits for Home-Based Artist Studios) No. 2242, 2019” as amended, and to advertise for same in the local newspaper; and

That Council consider giving first and second readings to “Sign Bylaw Amendment Bylaw (Home-Based Artist Studios) No. 2247, 2019”.

CARRIED

8.5 Alta Lake Road Sanitary Sewer Extension

Councillor D. Jackson declared a conflict of interest due to owning property in the area and left the Meeting at 6:41 p.m.

Moved By Councillor R. Forsyth

Seconded By Councillor A. De Jong

That Council support staff to proceed with the Alta Lake Road Sewer Extension Project as outlined in the summary of this Administrative Report 19-129.

CARRIED

Councillor D. Jackson returned to the Meeting at 7:01 p.m.