WHISTLER

AGENDA

REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, SEPTEMBER 17, 2019, STARTING AT 5:30 P.M.

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

ADOPTION OF AGENDA

That Council adopt the Regular Council Meeting Agenda of September 17, 2019.

ADOPTION OF MINUTES

That Council adopt the Regular Council Meeting Minutes of September 3, 2019.

PUBLIC QUESTION AND ANSWER PERIOD

MAYOR'S REPORT

ADMINISTRATIVE REPORTS

SEC27 – 7207 Fitzsimmons Road North – Floodplain Exemption
File No. SEC00027
Report No. 19-115

No presentation.

That Council grant a site specific exemption in accordance with Section 524 of the *Local Government Act* – "Requirements in Relation to Flood Plain Areas" that reduces the floodplain setback at 7207 Fitzsimmons Road North from 30 metres to 20.6 metres to permit the construction of a detached dwelling as shown on the Architectural Plans prepared by Murdoch and Company Architecture and Planning Ltd., dated July 4, 2019, attached as Appendix "B" to Administrative Report to Council No. 19-115; and

That Council authorize the Mayor and Municipal Clerk to execute a Section 219 covenant on the title of the subject property for this exemption, indemnifying the Municipality and attaching the geotechnical report prepared by Kerr Wood Leidal, November 27, 2018, confirming that the proposed building siting and design are safe for the intended residential use; and

That Council direct staff to register a statutory right of way in favour of the Municipality to allow for dike maintenance; and further

That Council authorize the Mayor and Municipal Clerk to execute the required legal documents.

Squamish-Lillooet Regional District Regional Growth Strategy Amendment Bylaw No. 1562-2018 – Acceptance By RMOW
File No. CR0097
Report No. 19-116

A presentation by municipal staff.

That Council grant acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018"; and

That Council authorize the Mayor and Municipal Clerk to submit the RMOW referral response, attached as Appendix "A" to Administrative Report No. 19-116 to the Squamish-Lillooet Regional District Board.

LUC003 – Bayshores Land Use Contract Termination File No. LUC003 Report No. 19-117	*A presentation by municipal staff.* **That** Council authorize staff to prepare the necessary bylaws to rezone lands subject to the Bayshores Land Use Contract and to terminate the Bayshores Land Use Contract (LUC) pursuant to sections 547 and 548 of the *Local Government Act*.
RZ1157 – 5298 Alta Lake Road Rezoning – Market/Employee Housing File No. RZ1157 Report No. 19-118	*A presentation by municipal staff.* **That** Council authorize further review and processing of Rezoning Application RZ1157 (5298 Alta Lake Road); and **That** Council authorize staff to schedule a public information meeting to obtain input on the proposed zoning changes; and further **That** Council authorize staff to potentially prepare a zoning amendment bylaw for RZ1157 to create a new site specific zone for the lands at 5298 Alta Lake Road that would provide for a mix of employee restricted and market housing on the lands as described in this Report 19-118.
RZ1153 – 8975 Highway 99 – Rainbow Ridge Update File No. RZ1153 Report No. 19-119	*A presentation by municipal staff.* **That** Council authorize staff to request additional information from the applicant regarding the revised RZ1153 application for a market and employee ownership townhouse development at 8975 Highway 99, including an updated traffic study, conceptual building design, preliminary servicing brief, development pro forma, and estimated sales price per unit.
RZ1147 – 1315 and 1345 Cloudburst Drive – Athlete/ Employee Housing File No. RZ1147 Report No. 19-120	*A presentation by municipal staff.* **That** Council consider giving first and second readings to "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019"; **That** Council authorize staff to schedule a public hearing for "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", and to advertise for same in the local newspaper; **That** Council direct staff to advise the applicant that before consideration of adoption of "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", the following matters shall be addressed to the satisfaction of the General Manager of Resort Experience; 1. Registration of a Section 219 covenant on title of 1315 Cloudburst Drive in favour of the Resort Municipality of Whistler to: a. Establish a supported design for the proposed development that is consistent with Council Policy G22 (Cheakamus Area Legacy Neighbourhood Design Guidelines); and, b. Ensure the proposed development is consistent with the Green Building Project Checklist and with the objectives and goals of the municipality's Green Building Policy G-23; 2. Registration of a housing agreement on title of 1315 Cloudburst Drive in favour of the RMOW to regulate employee housing use; 3. Registration of a housing agreement on title of 1345 Cloudburst Drive in favour of the RMOW to regulate employee housing use, including the condition of a right of first refusal to full time daycare workers and essential services employees as defined by Provincial legislation;

4. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the hard and soft landscape works as security for the construction and maintenance of these works;
5. Submission of a final waste and recycling plan that is consistent with "Solid Waste Bylaw No. 2139, 2017";
6. Submission of a snow shed report; and further

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

Whistler Transit System Annual Operating Agreement – Effective April 1, 2019
File No. 546
Report No. 19-121

A presentation by municipal staff.

That Council authorize the Mayor and Municipal Clerk to execute the "2019-2020 Whistler Transit System Annual Operating Agreement – Effective April 1, 2019" for the period April 1, 2019 through March 31, 2020 attached as Appendix "A" to Administrative Report to Council No. 19-121.

Solid Waste Management Program Update
File No. 600
Report No. 19-122

A presentation by municipal staff.

That Council receive Administration Report No. 19-122 regarding an update to the municipal Solid Waste Management Program, and;

That Council direct staff to proceed with the development of a Single-Use Plastic Reduction program in partnership with other SLRD communities; and further

That Council supports and wishes to join the submission from the Districts of Squamish and Tofino in response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the Recycling Regulation of the *Environmental Management Act.*

BYLAW FOR FIRST AND SECOND READINGS

Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019

That "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019" be given first and second readings.

BYLAWS FOR ADOPTION

Animal Responsibility Bylaw, No. 2218, 2019

That "Animal Responsibility Bylaw, No. 2218, 2019" be adopted.

Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019

That "Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019" be adopted.

Municipal Ticket Information System Implementation Amendment Bylaw (Animal Responsibility) No. 2241, 2019	**That** "Municipal Ticket Information System Implementation Amendment Bylaw (Animal Responsibility) No. 2241, 2019" be adopted.
Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019	**That** "Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019" be adopted.

OTHER BUSINESS

CORRESPONDENCE

RZ1157 – 5298 Alta Lake Road
File No. 3009

Seventeen pieces of correspondence from the following individuals, regarding RZ1157 – 5298 Alta Lake Road:

- Dr. Brian Gilvary and Joanne Louise Gilvary;
- Cheryl Green, President Strata BCS556, Nita Lake Estates;
- Lianne Gulka and Carl Hoyt;
- Jim and Judy Young;
- Chris Young;
- Tom Duguid (on behalf of Whistler Mountain Ventures Ltd., Alpine 68 owners);
- Keith and Lindsay Lambert;
- Alkarim Tejani and Shelina Lalani;
- Paul D. Wood
- E. Marsha Bennetto and David G. Thompson;
- Ross and Kris Clark;
- Richard and Sandra Durrans;
- Rob Follows;
- Craig and Kristen Langdon;
- Garry Watson;
- Garry Watson and Anne Popma; and
- Diane and Guy Lever.

Undergrounding of Utility Services in White Gold File No. 3009	Correspondence from Toni Metcalf, representing homeowners in the White Gold neighbourhood, regarding Undergrounding of Utility Services in White Gold.
Handicap Parking During Crankworx File No. 3009	Correspondence from Sue Hargrave, regarding the availability of handicap parking during Crankworx.
The Future of Tennis in Whistler Report File No. 3009	Correspondence from John Konig, President, Whistler Tennis Association, regarding The Future of Tennis in Whistler Report.

Request for Support File No. 3009	Correspondence from Libby McKeever, Vital Signs Project Coordinator, and Paul Dorland, Board Member, Community Foundation of Whistler, regarding a Request for Support.
Events in Whistler File No. 3009	Correspondence from Jorli Rickler, regarding events in Whistler.
Community Enrichment Program Scholarship Thanks File No. 3019	Correspondence from Ian Brett, thanking Council for the Community Enrichment Program Scholarship.
UBCM Resolution – Fostering Transportation Network Services in Small Communities File No. 2014	Correspondence from Tate Bengtson, Chief Administrative Officer, City of Enderby, regarding a UBCM Resolution – Fostering Transportation Network Services in Small Communities.
UBCM Convention Tradeshow Invitation File No. 2014	Correspondence from Jannie Bédard Guillemette, Communications and Stakeholder Engagement Officer, Office of the Administrator of the Fund for Railway Accidents Involving Designated Goods, regarding an invitation for the UBCM Convention Tradeshow.
Proclamation Request – International Day of Older Persons File No. 3009.1	Correspondence from Agnes Jackman, Board Member and Gudrun Langolf, President, Council of Senior Citizens' Organizations of B.C., requesting that October 1, 2019 be proclaimed International Day of Older Persons in Whistler.
Proclamation Request – Fair Employment Week File No. 3009.1	Correspondence from Terri Van Steinburg, President, Federation of Post-Secondary Educators of B.C., requesting that October 7 to 11, 2019 be proclaimed Fair Employment Week in Whistler.

TERMINATION

That the Regular Council Meeting of September 17, 2019 be terminated.

WHISTLER

MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, SEPTEMBER 3 2019, STARTING AT 5:30 P.M.

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

PRESENT:

Mayor: J. Crompton
Councillors: R. Forsyth, J. Ford, J. Grills, D. Jackson, and C. Jewett

Chief Administrative Officer, M. Furey
General Manager of Resort Experience, J. Jansen
General Manager of Infrastructure Services, J. Hallisey
General Manager of Corporate and Community Services, T. Battiston
Director of Planning, M. Kirkegaard
Director of Finance, C, Price
Municipal Clerk, A. Banman
Manager of Communications, M. Comeau
Manager of Protective Services, L. DeBou
Manager of Environmental Stewardship, H. Beresford
Planner, R. Brennan
Acting Manager of Information Technology, V. Pocock
Economic Development Analyst, H. Paul
Protective Services Planning Analyst, K. Creery
Bylaw Supervisor, C. Riess
Council Coordinator, N. Cooper

Tourism Whistler Manager of Information Technology, Tim Bonnell

Mayor J. Crompton recognized that the Meeting is being held on the traditional territories of the Lil'wat Nation and the Squamish Nation.

ADOPTION OF AGENDA

Moved by Councillor J. Ford
Seconded by Councillor C. Jewett

That Council adopt the Regular Council Meeting Agenda of September 3, 2019.

CARRIED

ADOPTION OF MINUTES

Moved by Councillor D. Jackson
Seconded by Councillor J. Grills

That Council adopt the Regular Council Meeting Minutes of August 13, 2019 as amended to correct the dates for the 2020 Council Calendar for March to March 3 and 17, 2020.

CARRIED

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PUBLIC QUESTION AND ANSWER PERIOD

John Richmond 8162 Muirfield Crescent Re: Speed Limit in Whistler	Mr. Richmond asked if Council would consider reducing the speed limit from 50km to 30 km in all neighbourhoods in Whistler, and if a trial area is needed, that they consider the Nicklaus North neighbourhood. Mayor J. Crompton answered that this topic will be considered later in the meeting when the correspondence is reviewed.
Bob Calladine 9428 Deerhorn Place Re: Snow Removal and Parking in Emerald Estates	Mr. Calladine asked if Council could ensure that the bylaws regarding parking are enforced especially when it is snowing, in order to facilitate snow clearing especially in Emerald Estates. Mayor J. Crompton responded that Council shares this desire to have illegally parked cars removed, especially during winter.
Dawn Titus 8440 Bear Paw Trail Re: New Position – Chief of Strategic Policy and Partnerships	Ms. Titus asked why the community only learned of this new position at the last minute in a July news release, and whether Whistler needs a 'chief', when there is a newly created committee. She asked about the transparency of this decision. Mayor J. Crompton responded that staffing decisions are not made in public. He added that Council has some ambitious strategic priorities, and this new position will address those. Additionally it will allow for a smooth transition to the new CAO when the position is filled.
Milo Rusimovich 8542 Buckhorn Place Re: Artificial Turf Playing Field Lobbying; South Base in the OCP; First Nations Traditional Lands	Mr. Rusimovich asked if Mayor J. Crompton had been part of the lobbying efforts made by P.J. O'Heany over the period of five years for the creation of an artificial turf playing field. Mayor J. Crompton responded that P.J O'Heany had spoken to him about it. Mr. Rusimovich asked why Mayor J. Crompton did not remove himself from discussions regarding the playing field; and did he receive a legal opinion, and if so, was it the same lawyer used by other members of Council, for other opinions. Mayor J. Crompton responded that the artificial field is not owned by the soccer club, it's a public asset, and members of Council should participate in discussions about public investment. He noted that there were legal opinions received on this, and that the RMOW and Council uses various lawyers. Mr. Rusimovich asked why there was no mention of the South Base at the OCP Public Open House. Mayor J. Crompton noted that it was posted up on one of the information boards. Mayor J. Crompton advised Mr. Rusimovich that Council is not able to take any further questions or comments regarding the OCP as the Public Hearing has already been held. Mr. Rusimovich asked if there had been an archaeological study done to show that Whistler is on the traditional lands of the Lil'wat Nation and the Squamish Nation.

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Mayor J. Crompton responded that the statement is not based on archaeological study, but on their historical presence in the area, hunting, fishing, etc.

MAYOR'S REPORT

Arts Update in Whistler

Councillor Cathy Jewett provided an update on some of the upcoming events in Whistler. She noted that she went out to watch Bohemian Rhapsody at the Outdoor Movie at Creekside. Councillor Cathy Jewett encouraged the community to attend the kick off of Fall for the Arts on September 12, 2019 starting with a street party at 6 p.m. followed by the Teeny Tiny Art Party at MYAC. Councillor Cathy Jewett noted that MYAC is hosting the world premiere of útszan – a new Canadian Indigenous Play from September 19-22, 2019. Councillor Cathy Jewett also encouraged everyone to attend the upcoming Emily Carr exhibition at the Audain Art Museum, showcasing works from the period when she was in France. The exhibition is open from September 21 to October 19, 2019. Councillor Cathy Jewett also noted that there the final concert of the Whistler Presents Concert Series performance will be the Famous Players featuring guests Jim Cuddy and Barney Bentall on Saturday, September 7, 2019.

Whistler Housing Authority Information Sessions

Mayor Jack Crompton noted that the Whistler Housing Authority (WHA) information sessions provided information about the changes to WHA eligibility and qualification for the rental program that were adopted by Council on July 23, 2019. He added that a full description as well as a question and answer document can be found at whistlerhousing.ca. Mayor Jack Crompton noted that three new WHA rental buildings are set to open over the coming months, with the first in November. He noted that there are no changes at this time to the WHA purchase program, but the RMOW and WHA will begin a review of eligibility and qualifications for employee purchase homes later this year. He advised that questions should be emailed to the WHA at mail@whistlerhousing.ca

RBC GranFondo Whistler

Mayor Jack Crompton noted that the RBC GranFondo will bring 4,000 cyclists 122 kilometres from Vancouver along the Sea-to-Sky Highway to Whistler on September 7, 2019. He encouraged community members to cheer on the riders, who hail from locally as well as from around the world. Mayor Jack Crompton noted that the first riders are expected to cross the finish line on Blackcomb Way at around 10 a.m. He reminded everyone to plan any travel that day around the event route and noted some of the details of the closures. He also noted that Day Lot 4 will be closed Friday, September 6 and Saturday, September 7, 2019, but that Transit will operate with modified routes south of Whistler Village. Mayor Jack Crompton encouraged everyone to walk, bike or take transit.

Meadow Park Sports Centre Re-Opening

Mayor Jack Crompton noted that Meadow Park Sports Centre has reopened after the annual maintenance closures. He noted that during the closure, the interior and exterior of the facility were significantly repainted, the fitness studio floor was re-varnished, and a temporary wall was installed in the

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cardio room as part of the ongoing expansion. Mayor Jack Crompton advised that the pool area is currently closed and will re-open on September 24, 2019 and the centre expansion, which will add 138 square metres of space, and is expected to be completed April 2020.

Highway 99 Utility Work

Mayor Jack Crompton noted that utility work is planned on Highway 99 north of the Emerald neighbourhood between the Sixteen Mile Creek Forest Service Road and Heliport Road. The work will run from September 4 until November 21, 2019 and single-lane alternating traffic will be in effect. He advised that details of the work schedule can be found online at DriveBC.

The 2019 Civic Service Awards

Mayor Jack Crompton noted that the nominations are now open for the 2019 Civic Service Awards. He added that this is an opportunity to nominate a volunteer who has demonstrated exceptional dedication of their time to the RMOW through committees and boards. Mayor Jack Crompton advised that all committee members including non-RMOW committee members, RMOW committee staff and Council are eligible to submit a nomination, but RMOW staff are not eligible to receive an award. All nominations must be received by 4 p.m. on Friday, September 20, 2019. For more information please email corporate@whistler.ca.

Whistler 2020 Development Corporation

Mayor Jack Crompton noted that the Whistler 2020 Development Corporation (WDC) board recently offered an updated home heating repair and maintenance program to the property owners of the 174 WDC-constructed townhouses connected to the Cheakamus Crossing District Energy System (DES). Homeowners can ask their strata councils for information or find it online at cheakamuscrossing.com. Mayor Jack Crompton thanked Tony Routley and the Cheakamus Crossing DES Strata Committee for their work advocating for the community.

Whistler Blackcomb

Mayor Jack Crompton thanked Pete Sonntag, the outgoing Whistler Blackcomb Chief Operating Officer for his work in Whistler. Mayor Jack Crompton noted that he looks forward to a continued working relationship with him following his move back to the United States.

Green Drinks – Black's

Mayor Jack Crompton noted that the first Wednesday of every month is Green Drinks at Black's, he encouraged community members to come out and talk about how Whistler can care for its environment.

Condolences

On behalf of Council and the RMOW, Mayor Jack Crompton shared condolences the family and friends of Jim Monahan. He noted that Jim Monahan was an integral and irreplaceable member of the Recreation Department skate shop team. He was well-respected by the skate hosts and his drop-in hockey buddies alike, always willing to lend a hand however he could. Jim Monahan was a sports writer for The Whistler Question for many years and before that the Whistler Answer; he made many contributions to various aspects of the community and will be missed.

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INFORMATION REPORT

Whistler Digital Framework
File No. 8822
Report No. 19-108

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That Council receive Information Report No. 19-108 regarding the Whistler Digital Framework.

CARRIED

ADMINISTRATIVE REPORTS

RZ1162 – 4800-4814 Glacier Lane – Glacier 8 Employee Housing Project
File No. RZ1162
Report No. 19-109

Moved by Councillor R. Forsyth
Seconded by Councillor J. Grills

That Council endorse further review and processing of RZ1162 an application from Whistler Blackcomb to amend the RM13 Zone at 4800-4814 Glacier Lane to develop a new apartment building for Whistler Blackcomb staff housing, as described in this Report 19-109; and

That Council authorize staff to schedule a public information meeting to obtain input on the proposed development and associated zoning changes; and further

That Council authorize staff to prepare the necessary zoning amendment bylaw for Council consideration.

CARRIED

Natural Resources Canada Zero Emissions Vehicle Infrastructure Incentive Program Application
File No. 8368
Report No. 19-111

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That Council direct staff to submit an application to Natural Resources Canada for the Zero Emissions Vehicle Infrastructure Incentive Program to qualify for up to 50 per cent matching funding for 14 dual-port Level 2 electric vehicle charging stations; and

That Council approve the use of municipal funding as the RMOW's share of matching funds.

OPPOSED: Councillor R. Forsyth

CARRIED

Animal Responsibility Bylaw
File No. 4700
Report No. 19-112

Moved by Councillor R. Forsyth
Seconded by Councillor J. Ford

That Council consider giving first, second and third readings to the "Animal Responsibility Bylaw No. 2218, 2019"; and

That Council consider giving first, second and third readings to the "Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019; and

That Council consider giving first, second and third readings to the "Municipal Ticket Information System Implementation Amendment Bylaw (Animal Responsibility) No. 2241, 2019".

CARRIED

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CM119 – 3343 and 3345 Nighthawk Lane – Covenant Modification for Building Envelope
File No. CM119
Report No. 19-110

Moved by Councillor C. Jewett
Seconded by Councillor R. Forsyth

That Council approve a modification to Covenant BF168147 for the duplex structure at 3343 and 3345 Nighthawk Lane to amend the building envelope for a duplex to include the existing garages and for a proposed unenclosed 40 square metres deck on the northwest side of 3343 Nighthawk Lane; and
That Council direct staff to advise the applicant that before forwarding the covenant modification document to the Mayor and Municipal Clerk for execution, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Submission of revised survey plan prepared by a registered BC land surveyor illustrating the revised building envelope for the duplex; and further

That Council authorize the Mayor and Municipal Clerk to execute the required legal documents.

CARRIED

Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019
File No. 4350
Report No. 19-113

Moved by Councillor R. Forsyth
Seconded by Councillor J. Ford

That Council consider giving first, second and third readings to the “Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019”; and

That Council direct staff to execute the 2019 Whistler 2020 Development Corporation Contribution Agreement II dated August 26, 2019, attached as Appendix "C” to Administrative Report 19-113.

CARRIED

International Relationships Policy Amendment
File No. 0430
Report No. 19-114

Moved by Councillor J. Grills
Seconded by Councillor D. Jackson

That Council adopt the revised version of Council Policy F-32: *International Relationships*.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Animal Responsibility Bylaw, No. 2218, 2019

Moved by Councillor C. Jewett
Seconded by Councillor J. Grills

That “Animal Responsibility Bylaw, No. 2218, 2019” be given first, second and third readings.

CARRIED

Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019

Moved by Councillor R. Forsyth
Seconded by Councillor J. Ford

That “Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019” be given first, second and third readings.

CARRIED

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Municipal Ticket Information System Implementation Amendment Bylaw (Animal Responsibility) No. 2241, 2019

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That "Municipal Ticket Information System Implementation Amendment Bylaw (Animal Responsibility) No. 2241, 2019" be given first, second and third readings.

CARRIED

Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019

Moved by Councillor J. Ford
Seconded by Councillor D. Jackson

That "Five-Year Financial Plan 2019-2023 Amendment Bylaw No. 2244, 2019" be given first, second and third readings.

CARRIED

BYLAWS FOR ADOPTION

Cross Connection Control Bylaw No. 2233, 2019

Moved by Councillor J. Grills
Seconded by Councillor C. Jewett

That "Cross Connection Control Bylaw No. 2233, 2019" be adopted.

CARRIED

Municipal Ticket Information System Implementation Amendment Bylaw (Cross Connection Control) No. 2234, 2019

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That "Municipal Ticket Information System Implementation Amendment Bylaw (Cross Connection Control) No. 2234, 2019" be adopted.

CARRIED

Bylaw Notice Enforcement Amendment Bylaw (Cross Connection Control) No. 2235, 2019

Moved by Councillor R. Forsyth
Seconded by Councillor J. Ford

That "Bylaw Notice Enforcement Amendment Bylaw (Cross Connection Control) No. 2235, 2019" be adopted.

CARRIED

CORRESPONDENCE

Nicklaus North Speed Limit File No. 3009

Moved by Councillor J. Ford
Seconded by Councillor R. Forsyth

That correspondence from 82 individuals, regarding the speed limit in Nicklaus North be received and referred to the Transportation Advisory Group, and to direct staff to return to Council with more information.

CARRIED

Alta Lake Road Sewer Petition File No. 3009

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That correspondence from David Ashby, regarding the Alta Lake Road Sewer Petition be received and referred to staff.

CARRIED

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Parking on Painted Cliff Road
File No. 3009

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That correspondence from Rob MacKay-Dunn, regarding parking on Painted Cliff Road be received and referred to staff.

CARRIED

Herbicide Spraying in Cheakamus Crossing
File No. 3009

Moved by Councillor C. Jewett
Seconded by Councillor J. Ford

That correspondence from Olwen Kuiper, Organic Master Gardener, regarding herbicide spraying in Cheakamus Crossing be received and referred to staff.

CARRIED

Topless March in Whistler
File No. 3009

Moved by Councillor J. Ford
Seconded by Councillor D. Jackson

That correspondence from Gail McKellar, regarding the Topless March in Whistler be received and referred to staff.

CARRIED

Beach Volleyball at Rainbow Park
File No. 3009

Moved by Councillor J. Ford
Seconded by Councillor R. Forsyth

That correspondence from Scott Rogers, Founder, WOVA, regarding Beach Volleyball at Rainbow Park be received and referred to staff.

CARRIED

Corporate Carbon Neutrality 2018
File No. 3009

Moved by Councillor C. Jewett
Seconded by Councillor J. Grills

That correspondence from Tara Faganello, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs and Housing and Gary MacIsaac, Executive Director, UBCM, regarding congratulations on achieving Corporate Carbon Neutrality in 2018 be received.

CARRIED

City of Victoria UBCM Motion – Establishing a Lobbying Regulation System
File No. 2014

Moved by Councillor D. Jackson
Seconded by Councillor J. Grills

That correspondence from Christine Havelka, Deputy City Clerk, City of Victoria, regarding a UBCM Motion – Establishing a Lobbying Regulation System be received.

CARRIED

District of Saanich UBCM Motion – Clean Up of Needles and Other Harm Reduction Paraphernalia
File No. 2014

Moved by Councillor C. Jewett
Seconded by Councillor J. Ford

That correspondence from Sarah Holloway, Senior Committee Clerk, District of Saanich, regarding a UBCM Motion – Clean Up of Needles and Other Harm Reduction Paraphernalia be received.

CARRIED

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District of Saanich UBCM Motion – Proceeds of Crime File No. 2014

Moved by Councillor C. Jewett
Seconded by Councillor J. Grills

That correspondence from Sarah Holloway, Senior Committee Clerk, District of Saanich, regarding a UBCM Motion – Proceeds of Crime be received.

CARRIED

Resource Breakfast Series Invitation File No. 3009

Moved by Councillor D. Jackson
Seconded by Councillor J. Grills

That correspondence from Sarah Weber, President and CEO, C3 Alliance Corp, regarding an invitation to the Resource Breakfast Series be received.

CARRIED

BC SPCA – Invitation to Opening of New Shelter

Moved by Councillor C. Jewett
Seconded by Councillor J. Ford

That correspondence from Alison Cuffley, Officer, Government Relations, BC SPCA, regarding an invitation to the opening of the new BC SPCA shelter be received.

CARRIED

Light Up Request – Prostate Cancer Awareness File No. 3009.1

Moved by Councillor C. Jewett
Seconded by Councillor J. Grills

That correspondence from Maria Zavyalova, Marketing Manager, Prostate Cancer Canada, requesting that on September 13, 2019, the Fitzsimmons Bridge be lit blue in support of Prostate Cancer Awareness be received and the bridge lit.

CARRIED

Light Up Request – Big Brothers Big Sisters Day File No. 3009.1

Moved by Councillor J. Ford
Seconded by Councillor C. Jewett

That correspondence from Wes Martin, Marketing Officer, Big Brothers of Greater Vancouver, requesting that on September 18, 2019, the Fitzsimmons Bridge be lit purple in support of Big Brothers Big Sisters Day be received and the bridge lit.

CARRIED

Light Up Request – World Cerebral Palsy Day File No. 3009.1

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That correspondence from Lindsay Macleod, Events and Development Coordinator, Cerebral Palsy Association of BC, requesting that on October 6, 2019, the Fitzsimmons Bridge be lit green in support of World Cerebral Palsy Day be received and the bridge lit.

CARRIED

Light Up Request – CRPS/RSD Awareness File No. 3009.1

Moved by Councillor C. Jewett
Seconded by Councillor D. Jackson

That correspondence from Kristen Haunss, Color The World Orange Group, requesting that on November 4, 2019, the Fitzsimmons Bridge be lit orange in support of Complex Regional Pain Syndrome/ Reflex Sympathetic Dystrophy Awareness be received and the bridge lit.

CARRIED

DRAFT

TERMINATION
Moved by Councillor C. Jewett
Seconded by Councillor J. Ford

That the Regular Council Meeting of September 3, 2019 be terminated at 7:59 p.m.

Mayor, J. Crompton

Municipal Clerk, A. Banman

DRAFT

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-115
FROM:	Resort Experience	**FILE:**	SEC00027
SUBJECT:	SEC27 – 7207 FITZSIMMONS ROAD NORTH – FLOODPLAIN EXEMPTION		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council grant a site specific exemption in accordance with Section 524 of the *Local Government Act* – "Requirements in Relation to Flood Plain Areas" that reduces the floodplain setback at 7207 Fitzsimmons Road North from 30 metres to 20.6 metres to permit the construction of a detached dwelling as shown on the Architectural Plans prepared by Murdoch and Company Architecture and Planning Ltd., dated July 4, 2019, attached as Appendix "B" to Administrative Report to Council No. 19-115; and

That Council authorize the Mayor and Municipal Clerk to execute a Section 219 covenant on the title of the subject property for this exemption, indemnifying the Municipality and attaching the geotechnical report prepared by Kerr Wood Leidal, November 27, 2018, confirming that the proposed building siting and design are safe for the intended residential use; and

That Council direct staff to register a statutory right of way in favour of the Municipality to allow for dike maintenance; and further

That Council authorize the Mayor and Municipal Clerk to execute the required legal documents.

REFERENCES

Location:	7207 Fitzsimmons Road North
Legal:	PID 007-669-461 Lot 8 Blocks1 and 2 District Lot 4753 Plan 15335
Owners:	Katty Sandra D'Onofrio and Nicol Allan D'Onofrio
Zoning:	RS1 (Residential Single Family 1)
Appendices	"A" – Location Map
	"B" – Architectural Plans

PURPOSE OF REPORT

This Report seeks Council's consideration to grant a site specific exemption to the floodproofing setback requirements as specified by "Zoning and Parking Bylaw No. 303, 2015" for 7207 Fitzsimmons Road North, located in the White Gold neighbourhood.

Council has the authority to grant an exemption for floodproofing requirements enacted by bylaw under Section 524 of the *Local Government Act* provided the exemption is considered advisable and is consistent with the Provincial guidelines or a report is received stating that the land may be used safely

for the use intended and is certified by a professional engineer or geoscientist experienced in geotechnical engineering. Provincial Riparian Area Regulations have been addressed and are not subject to municipal approval.

DISCUSSION

The owners are proposing to construct a single detached dwelling at 7207 Fitzsimmons Road North within the 30 metre floodplain setback and riparian area of Fitzsimmons Creek. A floodplain exemption application has been submitted to allow for the construction of the new dwelling set back a distance of 20.6 metres from the high water mark of Fitzsimmons Creek. The proposal conforms with the flood construction level requirements under "Zoning and Parking Bylaw No. 303, 2015".

Site Context

The subject property is located in the White Gold neighbourhood and is surrounded by residential uses. The lot is 894.6 square metres in area, and fronts Fitzsimmons Road North, with the rear yard adjacent to Fitzsimmons Creek. See Appendix "A" for location of the subject property. An existing two storey residence, proposed to be demolished, currently occupies the parcel.

Background

"Zoning Bylaw 303, 2015" provides two criteria for regulating Flood Proofing:

1. Horizontal distance ("setback") from the high water mark of a water course, and
2. Vertical elevation, ("flood control level") relative to high-water mark or adjacent grade.

An existing single family dwelling occupies the site. The rear portion of this existing dwelling is sited within the 30 metres floodplain setback from Fitzsimmons Creek.

The owners are proposing to construct a new two storey single family dwelling approximately 313 square metres (3,337 square feet) in size (see Appendix "B"). The proposal conforms to the Flood Control Level requirements of the Zoning Bylaw, but requests a relaxation to the 30 metre Flood Control Setback. The applicant has submitted a report prepared by Kerr Wood Leidal Associates Ltd., which states that a new building conforming to the required Flood Control Level and set back 20.6 metres from the high water level of Fitzsimmons Creek, in conjunction with the registration of a statutory right of way for dike maintenance in favour of the Municipality, is supported. The geotechnical report has been reviewed by staff and meets the necessary assurance requirements and is consistent with the Provincial flood hazard land use guidelines.

Since this proposal includes development within 30 metres of a watercourse the Province's Riparian Area Regulation (RAR) is also triggered. The RAR, administered by the Ministry of Forests, Lands and Natural Resource Operations, applies to riparian habitat affected by new residential, commercial and industrial development on land under local government jurisdiction. A Riparian Areas Assessment Report completed by Terra First Solutions Ltd., dated June 13, 2019 was submitted to the Province. This assessment recommends a 20.6 metre setback for stream protection and enhancement, which is consistent with the above geotechnical report.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected.	The proposed floodplain setback is consistent with Provincial guidelines and a report has been received from a professional geotechnical engineer certifying that the land may be safely used for the use intended. The proposed development conforms to RAR regulations.

The proposed flood proofing exemption does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

Zoning Analysis

The property is zoned RS1 (Residential Single Family One). The proposed development conforms to all development requirements contained in the RS1 Zone.

The following table outlines the requirements of the "Zoning and Parking Bylaw No. 303, 2015":

Zoning Bylaw No. 303, 2015	Requirement	Comment
Part 5 4. (2) (b)	No building or part thereof shall be constructed within 30 metres of the high water mark of Fitzsimmons Creek.	The geotechnical report submitted states that a setback of 20.6 metres is supported provided a right of way is obtained by the Municipality for dike maintenance.

LEGAL CONSIDERATIONS

Staff recommend two conditions of approval, as noted:

1. Registration of a Section 219 covenant prohibiting development on the site unless it complies with the recommendations of the geotechnical report. This covenant will indemnify and save harmless the Municipality in the event of flood damage to any portion of the subject property.
2. Registration of a statutory right of way to allow for future dike maintenance in accordance with the recommendations outlined in the geotechnical report.

BUDGET CONSIDERATIONS

There are no significant budget implications associated with this proposal. The application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

None required.

SUMMARY

This application is before Council for consideration to reduce the floodproofing setback requirement of "Zoning and Parking Bylaw No. 303, 2015" from 30 metres to 20.6 metres to allow for the construction of a new detached dwelling at 7207 Fitzsimmons Road North. Per the requirements of Section 524 of the *Local Government Act*, a report in support of this application has been submitted by a professional geotechnical engineer stating that the proposed building location and design are safe for the intended residential use.

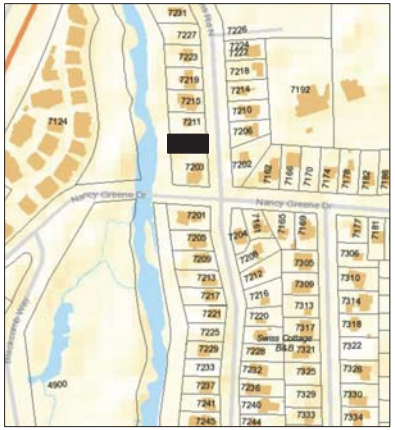
Respectfully submitted,

Stephanie Johnson
PLANNING ANALYST, MCIP RPP

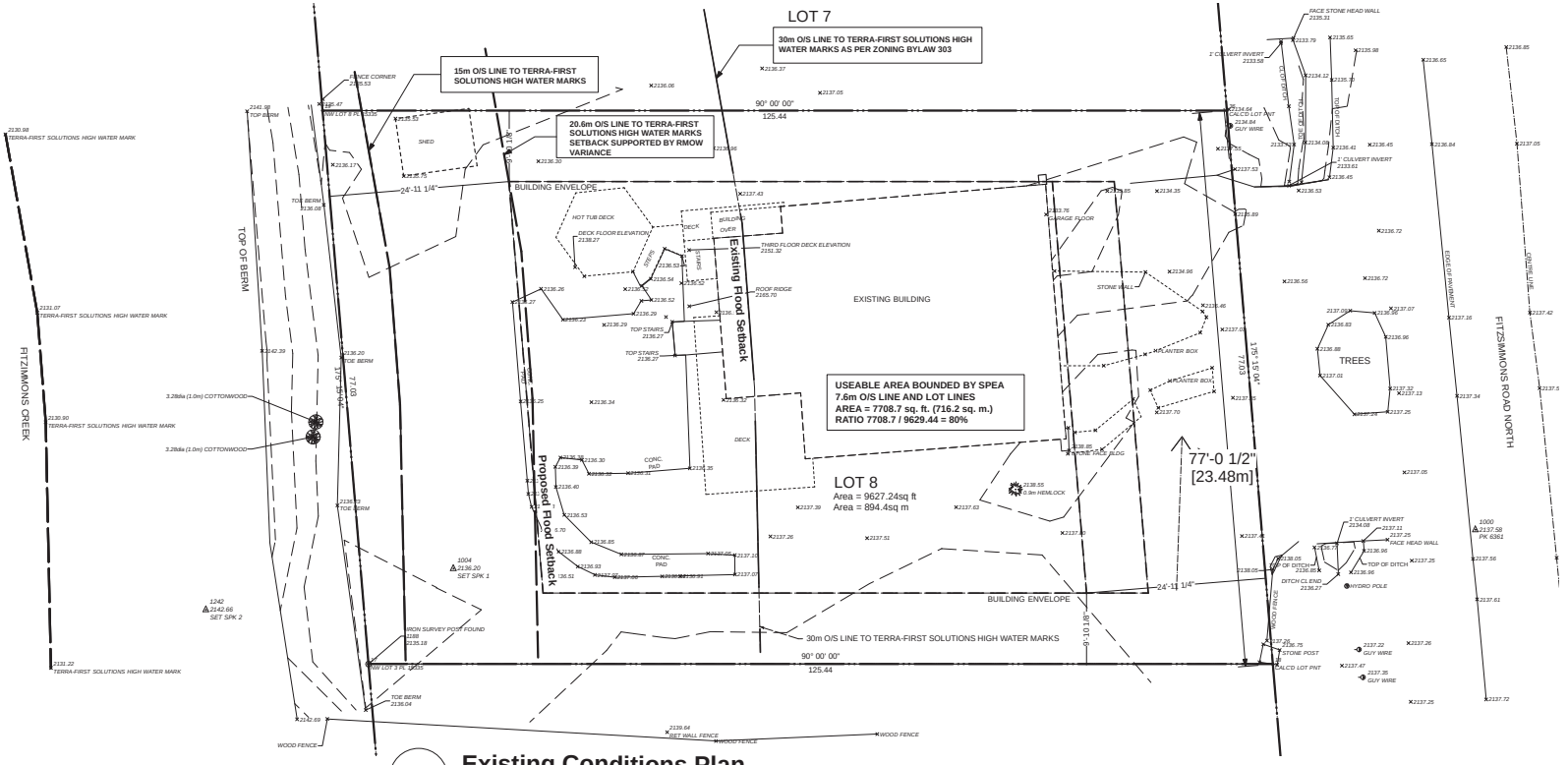
for
Jan Jansen
GENERAL MANAGER OF RESEORT EXPERIENCE

APPENDIX A

Subject Property



2 Context Plan
NTS



1 Existing Conditions Plan
1/16" : 1'-0"

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Issued For:	Date:
INTERNAL REVIEW	23.MAY.2019
STRUCTURAL REVIEW	04.JUN.2019
COORDINATION	04.JUL.2019

No:	Revision:	Date:

Title: EXISTING CONDITIONS

Project: **D'ONOFRIO RESIDENCE**
7207 FITZSIMMONS ROAD NORTH., WHISTLER, BC

MURDOCH + COMPANY
Architecture + Planning Ltd.
#106-4319 Main Street
P.O. Box 1394
Whistler, B.C. V0N 1B0
Ph. 905-6992 Fax 905-6993
e-mail murdoch@telus.net

Sealed By:

Drawn By:	Scale:
BM	as shown
Project No:	Sheet No:
17.11	A-1.0

Drawing List

A-1.0	Existing Site Conditions
A-1.1	Site Plan & Project Information
A-2.1	Foundation Plan
A-2.2	Main Floor Plan
A-2.2a	Main Floor Area
A-2.3	Upper Floor Plan
A-2.3a	Upper Floor Area
A-2.4	Roof Plan
A-3.1	Building Elevations
A-3.2	Building Elevations
A-3.3	Limiting Distance Calculations
A-4.0	Typical Assembly Schedule
A-4.1	Building Sections
A-4.2	Building Sections
A-4.3	Building Sections
A-4.4	Building Sections
A-5.1	Window sequencing Details
A-5.2	Construction Details
A-5.3	Construction Details
A-5.4	Construction Details
A-6.1	Door & Window Schedule

Development Stats

Occupancy : Residential Group C

Civic Address: 7207 Fitzsimmons Road North, Whistler, B.C.

Legal: PLAN VAP15335, BLK 1 & 2, LOT 8, DL4753, NWD, GP 1

PID: 007-669-461

Zone: RS1

Height: max height allowed: 7.6m
proposed: 7.43m

Site Area: 9,627.24 sf / 894.39 sm

Gross Floor Area Permitted: 325 sm OR 0.35 FSR

Gross Floor Area: 3,377 sf / 313.7 sm
Floor Space Ratio: 3,377 / 9,627.24 = 0.35

Designed Under Part 9 2018 BC Building Code

Project Directory

Architect:
Murdoch + Co. (T) (604) 905-6992
#106-4319 Main St. (F) (604) 905-6993
Whistler, B.C.
V0N 1B0
Brent Murdoch

Landscape Architect:
Murdoch + Co. (T) (604) 905-6992
#106-4319 Main St. (F) (604) 905-6993
Whistler, B.C.
V0N 1B0
Brent Murdoch

Surveyor:
Doug Bush (T) (604) 932 3314
18-1370 Alpha Lake Road
Whistler, B.C.
V0N 1B1

Structural Engineer:
Twin Peaks Engineering (T) (604) 967 1701
101-1080 Millar Creek Road,
WHistler, B.C.
V0N 1B1

Contractor:

FCL 2141.076' 652.60m
FFE main: 2142.43

GROSS FLOOR AREA	SQ.FT.	SQ.M.
Main Floor	1506.0	139.9
Upper Floor (suite)	442.0	41.1
Upper Floor	1429.0	132.8
Sub-Total	3377.0	313.7
Mechanical	151.0	14.0
exempt space (fireplace, stairs etc)	34.3	3.2
Garage	749.0	69.6
Total	4311.3	401

GENERAL INFORMATION:

NOTES

1. DO NOT SCALE DRAWINGS.
2. VERIFY ALL FIXTURE DIMENSIONS AND REQUIRED CLEARANCES BEFORE FRAMING WALLS. (INCL. CABINETS, LOCKERS, MILLWORK ETC.)
3. ALL DIMENSIONS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. REPORT ANY DISCREPENCIES TO THE ARCHITECT.
4. ALL DIMENSIONS TO FACE OF CONCRETE OR FACE OF STUD UNLESS NOTED OTHERWISE.
5. DOORS IN STUD WALLS TO BE LOCATED 2 1/2" FROM ADJACENT WALL TO ROUGH OPENING (TYP.)
6. 'CLR' INDICATES TO FACE OF FINISH.
7. SEE STRUCTURAL DRAWINGS FOR ALL SHEAR WALL LOCATIONS AND ASSEMBLIES.
8. SEE STRUCTURAL DRAWINGS FOR ALL FRAMING MEMBERS.
9. ALL FLASHING C/W FOLDED END DAMS
10. ALL FASTENERS, HANGERS & FLASHINGS TO BE COMPATIBLE WITH PT WOOD

BUILDING ENVELOPE REQUIREMENTS

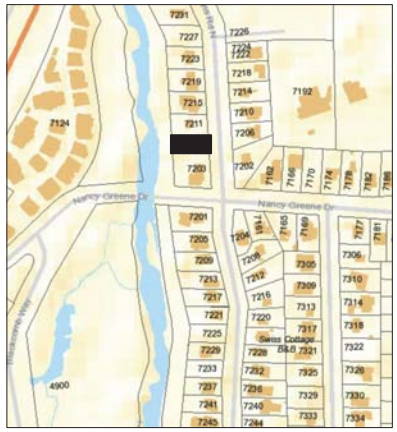
1. BUILDING ENVELOPE DESIGN TO MEET CURRENT REQUIREMENTS OF THE BCBC SECTION 9.36.6 (STEP CODE 3) AS PER CLIMATIC ZONE 6.
2. SECTION 9.36 APPLIES TO:

ALL EXTERIOR WALLS, EXTERIOR FOUNDATION WALLS, WARM SPACES OVER COLD SPACES, ROOFS OVER WARM SPACES, CONCRETE SLABS, WINDOWS, DOORS AND SKYLIGHTS.

HVAC AND WATER HEATING REQUIREMENTS.

EQUIPMENT, DUCTS, AIR INTAKE, OUTLET DAMPERS, PIPING AND EQUIPMENT FOR HEATING AND COOLING.

TEMPERATURE CONTROLS, HUMIDIFICATION, HEAT RECOVERY, SERVICE WATER EFFICIENCY, SOLAR THERMAL SYSTEMS, SERVICE WATER PIPING AND SERVICE WATER HEATING CONTROLS.



2 **Context Plan**
NTS

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STRUCTURAL REVIEW	04.JUN.2019
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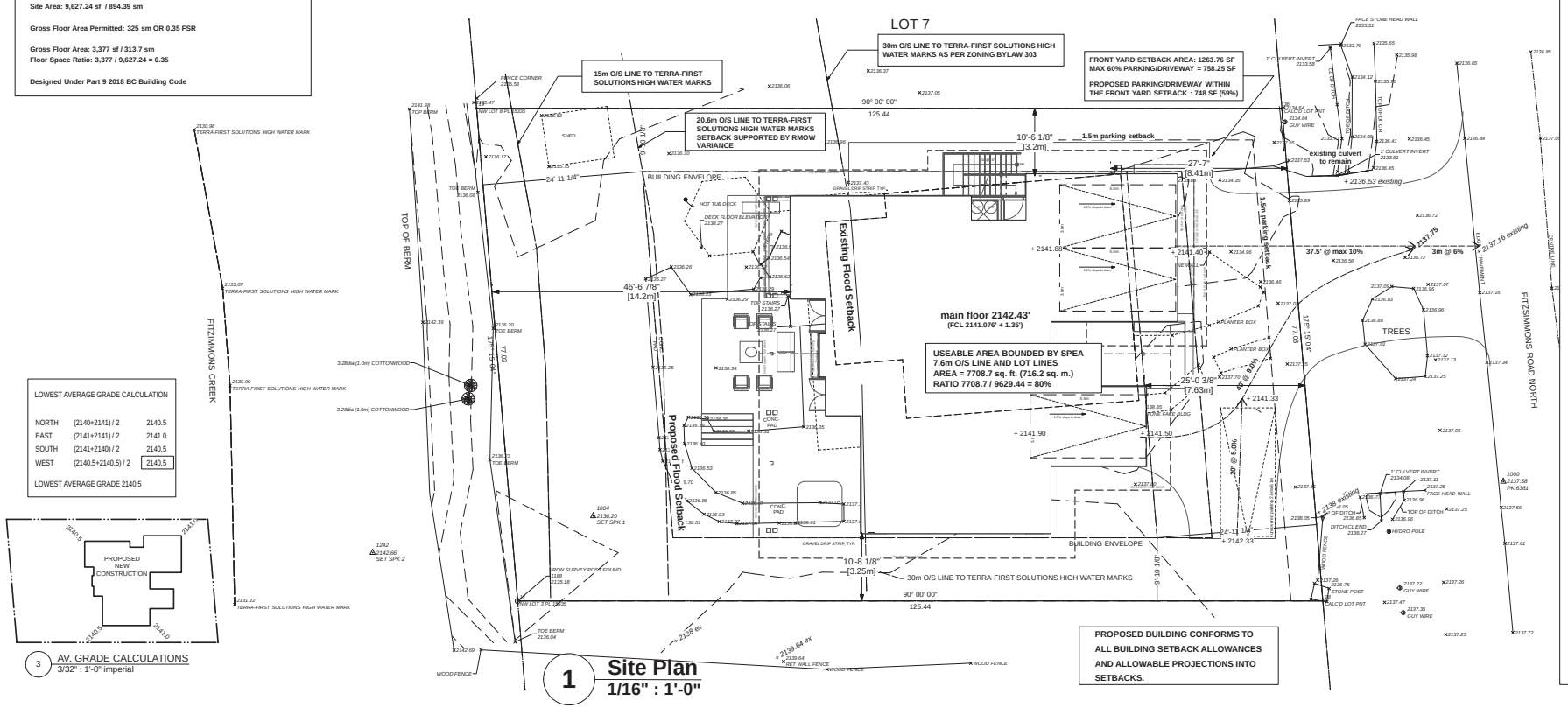

1 **Site Plan**
1/16" : 1'-0"

LOWEST AVERAGE GRADE CALCULATION		
NORTH	(2140+2141) / 2	2140.5
EAST	(2141+2141) / 2	2141.0
SOUTH	(2141+2140) / 2	2140.5
WEST	(2140.5+2140.5) / 2	2140.5

LOWEST AVERAGE GRADE 2140.5

3 AV. GRADE CALCULATIONS
3/32" : 1'-0" imperial

Title
SITE PLAN

Project
D'ONOFRIO RESIDENCE
7207 FITZSIMMONS ROAD NORTH., WHISTLER, BC

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Architecture + Planning Ltd.
#106-4319 Main Street
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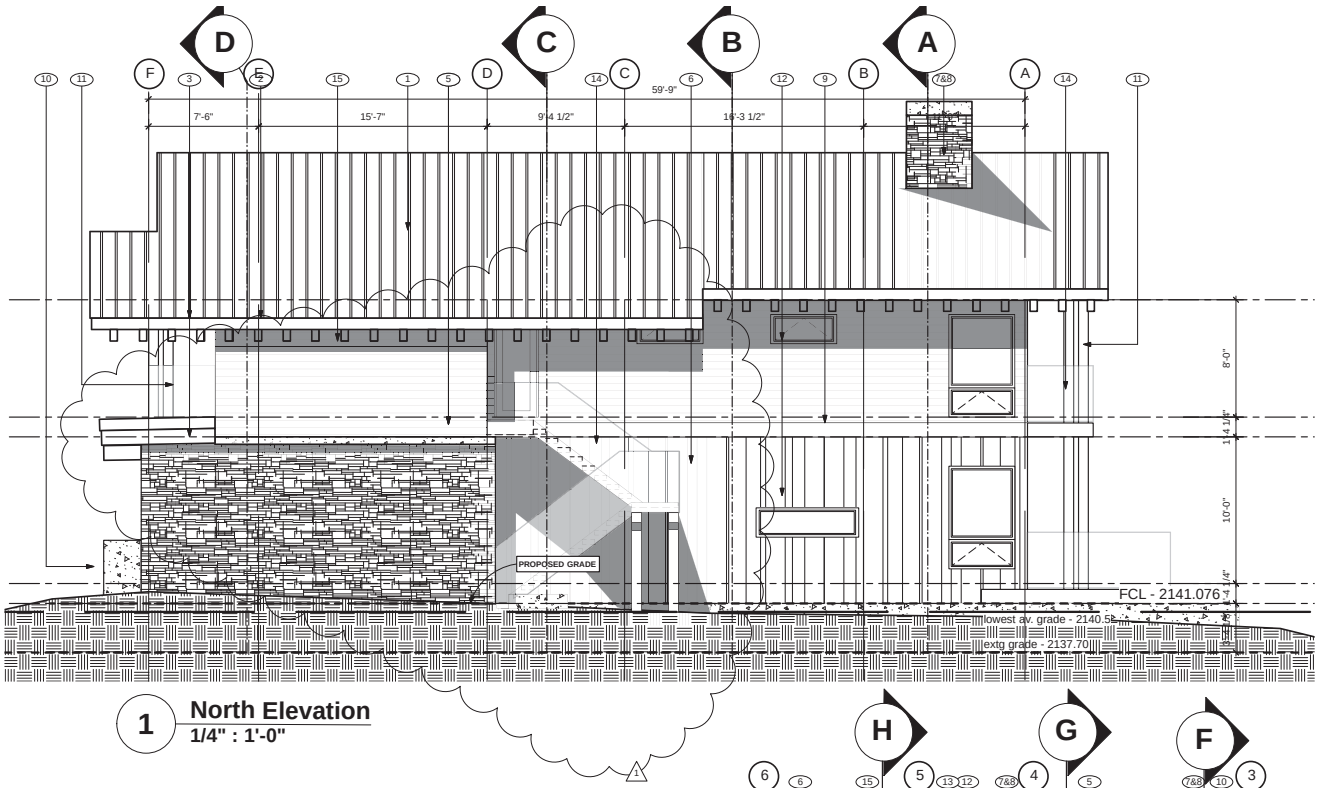
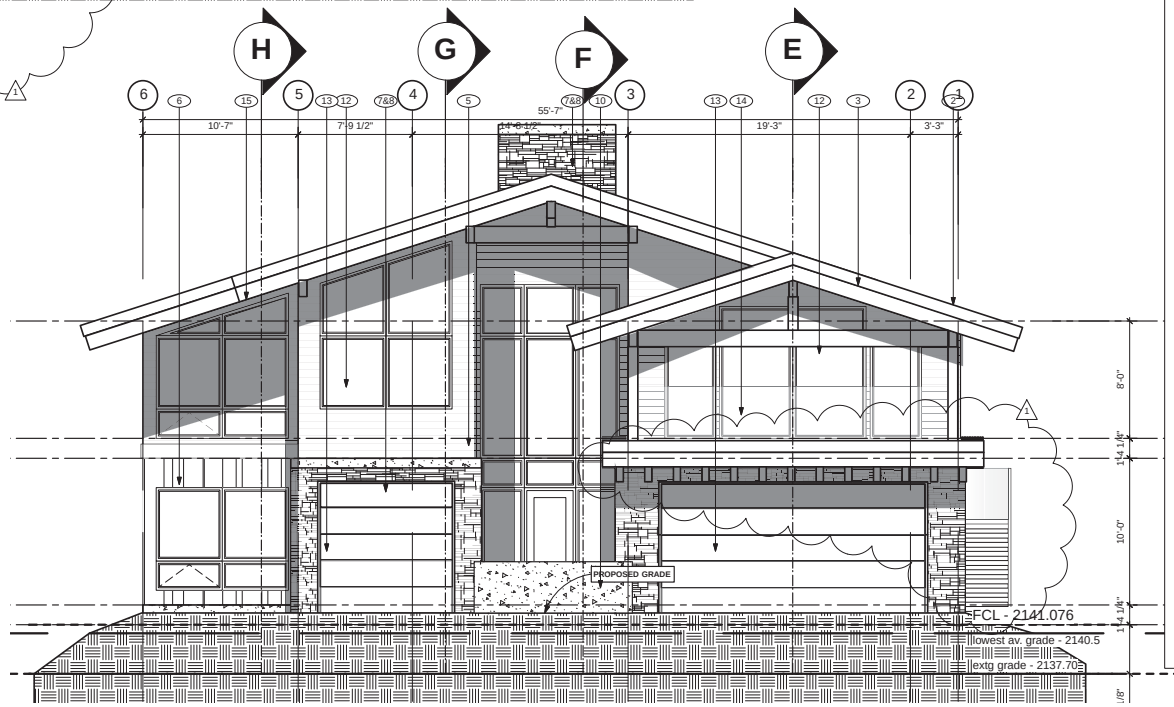
A-1.1 SITE PLAN



1 **North Elevation**
1/4" : 1'-0"



2 **East Elevation**
1/4" : 1'-0"

FCL 2141.076' 652.60m
FFE main: 2142.43

EXTERIOR FINISHES LEGEND

TO BE READ IN CONJUNCTION WITH DETAILS

1. STANDING SEAM METAL ROOFING
2. PREFINISHED METAL FLASHING
3. STAINED WOOD FASCIA BOARD
   STAINED WOOD TRIM BOARD
4. 1x CEDAR SOFFITTING - CLEAR STAIN
5. HORIZONTAL CEDAR SIDING, 6" REVEAL.
   COLOUR BY ARCH.
6. BOARD & BATTEN - IRREGULAR PATTERN
   COLOUR BY ARCH.
7. CONCRETE CAP
8. STONE CLADDING
9. TRIM BOARD - PAINTED TO MATCH HORIZONTAL SIDING
10. EXPOSED CONCRETE
11. GLULAM POSTS & BEAMS. TYP. REFER TO STRUCTURAL
12. ALUMINUM WINDOWS/ WOOD DOORS
13. OVERHEAD INSULATED GARAGE ROLL-UP DOOR
14. STRUCTURAL/TEMPERED GLASS GUARD RAIL ON WOOD DECK
15. EXPOSED RAFTERS

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COORDINATION	04.JUL.2019

No:	Revision:	Date:
1	STRUCTURAL REVIEW	04.JUL.2019

Title: ELEVATIONS

Project: **D'ONOFRIO RESIDENCE**
7207 FITZSIMMONS ROAD NORTH., WHISTLER, BC

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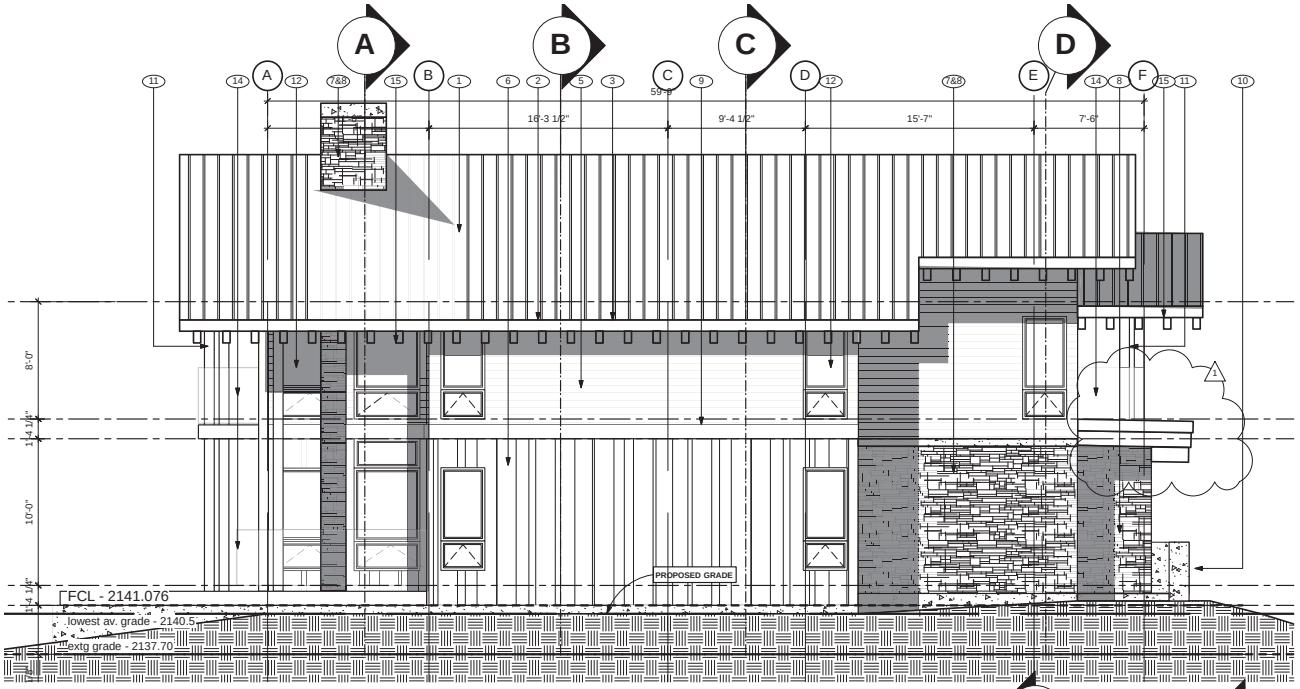

1 **South Elevation**
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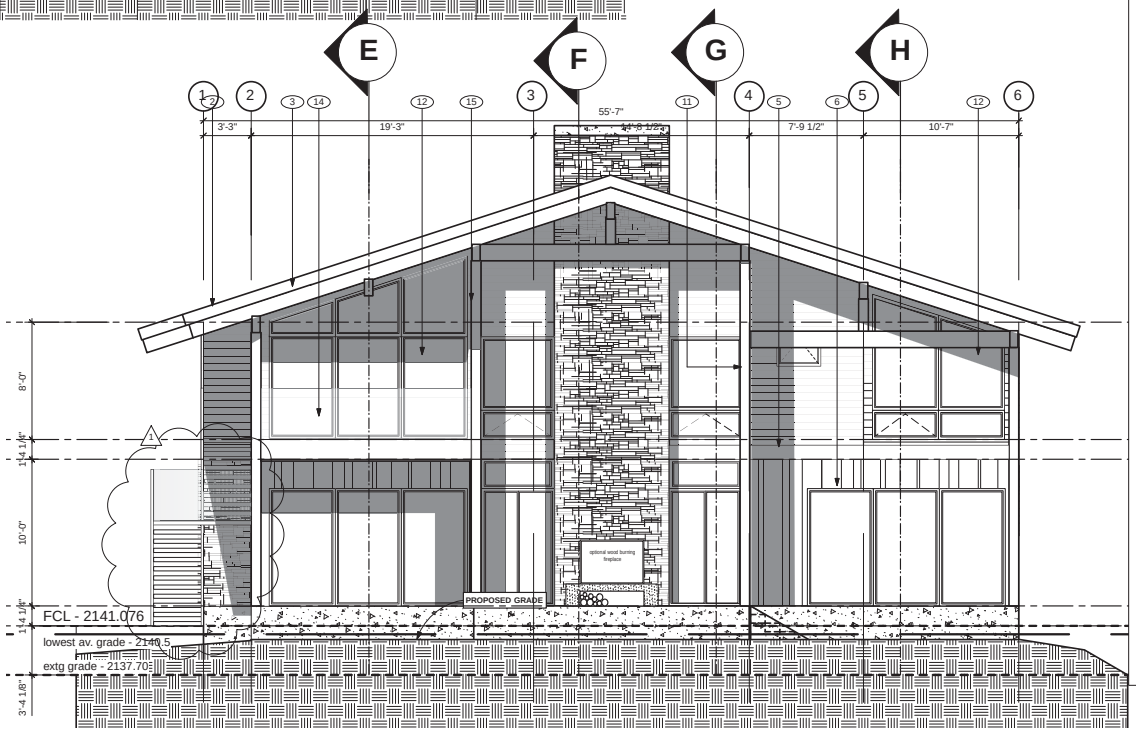

2 **West Elevation**
1/4" : 1'-0"

FCL 2141.076' 652.60m
FFE main: 2142.43

EXTERIOR FINISHES LEGEND
TO BE READ IN CONJUNCTION WITH DETAILS

1. STANDING SEAM METAL ROOFING
2. PREFINISHED METAL FLASHING
3. STAINED WOOD FASCIA BOARD
   STAINED WOOD TRIM BOARD
4. 1x CEDAR SOFFITTING - CLEAR STAIN
5. HORIZONTAL CEDAR SIDING, 6" REVEAL. COLOUR BY ARCH.
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1	STRUCTURAL REVIEW	04.JUL.2019

Title: ELEVATIONS

Project: **D'ONOFRIO RESIDENCE**
7207 FITZSIMMONS ROAD NORTH., WHISTLER, BC

MURDOCH + COMPANY
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WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-116
FROM:	Resort Experience	**FILE:**	CR0097
SUBJECT:	SQUAMISH-LILLOOET REGIONAL DISTRICT REGIONAL GROWTH STRATEGY AMENDMENT BYLAW NO. 1562-2018 – ACCEPTANCE BY RESORT MUNICIPALITY OF WHISTLER		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council grant acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018"; and

That Council authorize the Mayor and Municipal Clerk to submit the RMOW referral response, attached as Appendix "A" to Administrative Report No. 19-116 to the Squamish-Lillooet Regional District Board.

REFERENCES

Appendix "A" – Resort Municipality of Whistler (RMOW) response granting acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" (RGS Amendment Bylaw 1562-2018)

Appendix "B" – August 6, 2019 Referral Letter from the Squamish-Lillooet Regional District (SLRD) Board regarding "Acceptance by affected local governments – 60-day Referral – Squamish-Lillooet Regional District Regional Growth Strategy Review (RGS Amendment Bylaw 1562-2018)"

Administrative Report to Council No. 19-022 – SLRD Regional Growth Strategy Amendment Bylaw No. 1562-2018 Referral – Updated Report, dated February 12, 2019 (Not attached)

Administrative Report to Council No. 18-071 – SLRD Regional Growth Strategy Amendment Bylaw No. 1562-2018 Referral, dated June 5, 2018 (Not attached)

PURPOSE OF REPORT

The purpose of this Report is to recommend that Council grant acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" as amended and submit the response in Appendix "A" to the SLRD Board.

DISCUSSION

Background

The RMOW is a party to the SLRD Regional Growth Strategy (RGS). Section 452(2) of the *Local Government Act* requires a regional district with an adopted RGS to consider whether the RGS must be reviewed for possible amendment at least once every five years. The SLRD initiated an RGS review in February 2016. The process was intended to be an "update not an overhaul of the current RGS", focusing on addressing specific housekeeping amendments, clarifying implementation processes (including updates to the minor amendment criteria), addressing specific content gaps (namely food/agriculture and climate change) and amending mapping. Since the scope of the review included proposed changes to the RGS's minor amendment criteria, a major amendment process was triggered pursuant to the *Local Government Act*.

The SLRD Board gave first reading to RGS Amendment Bylaw 1562-2018 on April 18, 2018. The first reading version of the amendment bylaw was referred as a courtesy to member municipalities and First Nations for initial comments. At its June 5, 2018 regular meeting, RMOW Council endorsed a referral response generally endorsing the proposed RGS, but with recommendations for minor changes to its growth management policies and Whistler's settlement areas to include the Whistler Blackcomb Master Plan *Option Sites*. The SLRD Board received the RMOW's referral response at its regular meeting on July 25, 2018.

The SLRD subsequently revised RGS Amendment Bylaw 1562-2018 in response to referral comments. The RMOW's proposed changes pertaining to amendment triggers for certain developments were not supported as they were deemed to be adequately addressed by the existing wording in the RGS, and other SLRD approval processes. However, "housekeeping changes" to the RGS's definition of "backcountry resorts" and minor amendment criteria supported assurances from SLRD staff that certain development proposals in the region will have adequate involvement of member municipalities in their approval. The RMOW's request to include the *Option Sites* in Whistler's defined settlement areas was supported and this change was made to the proposed RGS. The SLRD Board gave second reading to RGS Amendment Bylaw 1562-2018, as amended on October 24, 2018 and extended a second courtesy referral to member municipalities.

At its February 12, 2019 regular meeting, RMOW Council endorsed a referral response, which stated the RMOW is supportive of the amended RGS as drafted. The SLRD Board received the RMOW's referral response at its regular meeting on February 27, 2019.

Current Version of "RGS Amendment Bylaw 1562-2018" and SLRD Referral

On June 18, 2019, the District of Squamish submitted revised mapping to the SLRD along with a request that the RGS Settlement Map be amended to remove certain lands from the settlement areas. In particular, the SLRD describes this change as follows:

> The District of Squamish's updated mapping reflects the removal of one 10 ha parcel from the settlement lands and the redesignation of another parcel to include another 6 ha of "Urban". The updated RGS Settlement Map for the District of Squamish would therefore reflect the net removal of 4 ha of settlement lands.

On July 25, 2019, the SLRD Board accepted the revised mapping from the District of Squamish and directed SLRD staff to amend the RGS Settlement Map to reflect the mapping change. The SLRD has amended the RGS Settlement Map to reflect the mapping change requested by the District of Squamish.

According to section 436(3) of the *Local Government Act*, before third reading of the bylaw to adopt the RGS, the SLRD Board must submit the RGS to affected local governments for acceptance. The SLRD Board directed SLRD staff to initiate the 60-day official referral of RGS Amendment Bylaw 1562-2018 to all affected local governments. The RMOW received this referral letter on August 6, 2019, which is attached as Appendix "B".

Proposed RMOW Response to SLRD Referral

Section 436(1) of the *Local Government Act* states that before the RGS is adopted, it must be accepted by the affected local governments or, failing acceptance, become binding on the affected local governments under section 440(6).

Section 436(4) of the *Local Government Act* identifies the procedure for local governments to follow when receiving a proposed RGS from a regional district board:

> (4) After receiving a proposed regional growth strategy under subsection (3), each affected local government must
>
> (a) review the regional growth strategy in the context of any official community plans and regional growth strategies for its jurisdiction, both those that are current and those that are in preparation, and in the context of any other matters that affect its jurisdiction, and
>
> (b) subject to an extension by the facilitator under section 438 (3), within 60 days of receipt either
>
> (i) accept the regional growth strategy, or
> (ii) respond, by resolution, to the proposing board indicating that the local government refuses to accept the regional growth strategy.

RMOW staff thoroughly reviewed the proposed RGS in response to the two courtesy referrals previously extended by the SLRD in April and October of 2018. This analysis is provided in Administrative Reports to Council No. 19-022 and No. 18-071. At its February 12, 2019 regular meeting, RMOW Council endorsed a referral response, which stated the RMOW is supportive of the amended RGS as drafted. Since this time, the only change the SLRD has made to the proposed RGS is revised mapping to reduce the amount of requested additional "settlement lands" in the District of Squamish by 4 ha. RMOW staff consider this change to be minor and recommend that the RMOW continue to be supportive of the amended RGS as drafted.

The RMOW's proposed response to the SLRD Board's referral is provided in Appendix "A". This letter grants the RMOW Council's acceptance of RGS Amendment Bylaw 1562-2018.

WHISTLER 2020 ANALYSIS

Refer to analysis provided in Administrative Report to Council No. 19-022 – SLRD Regional Growth Strategy Amendment Bylaw No. 1562-2018 Referral – Updated Report, dated February 12, 2019.

OTHER POLICY CONSIDERATIONS

Whistler's newly proposed OCP, "Official Community Plan Bylaw No. 2199, 2018", received third reading from Council on July 23, 2019. The OCP contains a Regional Context Statement, which must be accepted by the SLRD Board prior to RMOW Council's adoption of the OCP. In accordance with the *Local Government Act*, the Regional Context Statement identifies how the policies of the OCP are consistent with the RGS, or will become consistent with the RGS over time. This context statement was referred to the SLRD Board for acceptance on July 26, 2019. It is anticipated that the RMOW's Regional Context Statement will be considered for acceptance by the SLRD Board on October 23, 2019.

BUDGET CONSIDERATIONS

Participation in the RGS Steering Committee and related reviews of referrals have been accounted for in existing Planning Department budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

Since 2016, the RGS Steering Committee has been guiding the RGS review process. Members of RMOW Council and staff were involved in the RGS Steering Committee.

The SLRD has been responsible for coordinating engagement and consultation for the RGS amendment process. Three elected officials' forums were held to seek direction from SLRD and member municipality elected officials; these forums focused on growth management, transportation and affordable housing. The SLRD coordinated consultation with First Nations and other levels of government. The SLRD also held public open houses in each member municipality in June 2018.

The RMOW was actively involved in shaping the proposed RGS and staff are reasonably satisfied with the general intent and content of the revised RGS.

SUMMARY

This Report recommends Council grant acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" and authorize the Mayor and Municipal Clerk to send the letter attached as Appendix "A" to the SLRD Board to communicate this resolution.

Respectfully submitted,

Courtney Beaubien
ACTING SENIOR PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
Whistler, BC Canada V8E 0X5
whistler.ca
TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109

Chair Tony Rainbow and Board
Squamish-Lillooet Regional District
PO Box 219, 1350 Aster Street
Pemberton, BC
V0N 2L0

September 18, 2019

Dear Chair Rainbow and Members of the Board:

Re: Acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018"

On behalf of the Resort Municipality of Whistler (RMOW), I thank you for the continued efforts of the Squamish-Lillooet Regional District (SLRD) and its staff in bringing forward "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" towards adoption.

Please accept this letter as the RMOW's granting of acceptance of "Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" per section 436 of the *Local Government Act*.

Again, we thank you for the opportunity for early and ongoing feedback in updating the Regional Growth Strategy and look forward to its successful adoption.

Yours truly,

Mayor Jack Crompton

Encl.
Council Report
Council Resolution

SQUAMISH - LILLOOET
REGIONAL DISTRICT

Box 219, 1350 Aster Street,
Pemberton, BC V0N 2L0
Ph. 604-894-6371, 800-298-7753
F: 604-894-6526
info@slrd.bc.ca | www.slrd.bc.ca

August 6, 2019

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B0
By email: *wbradbury@whistler.ca*
council@whistler.ca

Dear Mayor and Council:

RE: Acceptance by affected local governments – 60-day Referral – Squamish-Lillooet Regional District Regional Growth Strategy Review (RGS Amendment Bylaw 1562-2018)

The Squamish-Lillooet Regional District (SLRD) initiated a major amendment of the Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008 to address specific housekeeping amendments, clarify implementation processes (including updates to the Minor Amendment Criteria), address specific content gaps (namely food/agriculture and climate change) and amend mapping. Initiation of the amendment followed consideration of a review, as per the *Local Government Act* (*LGA*) section 452(2) five year review requirements. It should be noted that any updates to a minor amendment criteria trigger a major amendment process, as per the *LGA*.

"Squamish-Lillooet Regional District Regional Growth Strategy Bylaw No. 1062, 2008, Amendment Bylaw No. 1562-2018" (RGS Amendment Bylaw 1562-2018), was given second reading, as amended at the July 25, 2019 SLRD Board meeting. Before third reading the SLRD Board must submit the regional growth strategy to affected local governments for acceptance.

BACKGROUND:

Purpose of the RGS Review:

Meet LGA Requirements
The LGA requires a regular review of regional growth strategies, with a review to be considered at least once every five years.

Improve implementation
Through implementation of the RGS Bylaw (over the past 8 years - RGS has been in place since June 2010), SLRD staff and the RGS Steering Committee have identified some issues with the RGS, including the Minor Amendment Criteria and Process. Amendments are proposed to add clarity and support decision-making.

Evolve Policy and Processes
The SLRD has experienced considerable change since the RGS was initiated in 2003. There have also been changes at the provincial and federal level that have impacted regional district planning. As well, member municipalities, through the RGS Steering Committee, identified a number of areas requiring updates. The RGS Review has provided the opportunity to evolve policy and processes to reflect the current and future context.

Continue Collaboration:
The RGS Review process – guided by the RGS Steering Committee with direction provided through three elected officials' forums and input provided by the Intergovernmental Advisory Committee – has continued the collaborative efforts as noted in the RGS Bylaw by continuing to assist all parties with an interest in the region to:

1. Work together to address matters of common regional concern;
2. Demonstrate respect for each other's jurisdictions and processes;
3. Maintain good communications and coordination with respect to land use and other decisions of a regional and sub-regional nature;
4. Create a long term vision informed by the key principles of sustainability and embark on a path to our future in a manner that finds a responsible balance between the environmental, economic, and social needs of our communities.

Content

The RGS Review is intended to be an update not an overhaul of the current RGS. Some content revisions and additions are proposed (i.e. the development of a Food Systems Goal and Climate Change Goal, preferred modes of transportation policy and priorities, and expanded affordable housing policies), but the focus is really toward implementation of the RGS and developing criteria and processes to support collective agreement and responsibility. The RGS Review was initiated as a major amendment, as revisions to the minor amendment criteria are proposed. The RGS Review also provides an opportunity to address various housekeeping amendments (i.e. updating population, employment and dwelling unit projects; updating monitoring indicators; and updating

terminology and references, etc.) reflecting the "living" nature of strategies, and to improve the function and relevance of the document.

Some mapping updates are also proposed, reflecting member municipality OCP updates (comprehensive community processes, not stand-alone amendments) and housekeeping amendments.

Please find enclosed RGS Amendment Bylaw 1562-2018 (RGS Review). Additionally, a Timeline of Events and Consultation Schedule are enclosed for information.

ACCEPTANCE BY AFFECTED LOCAL GOVERNMENTS

As per section 436 of the *LGA*, "*Before it is adopted, a regional growth strategy must be accepted by the affected local governments or, failing acceptance, become binding on the affected local governments under section 440 (6)* [settlement of regional growth strategy in acceptance not otherwise reached*]".* The subject referral seeks affected local government acceptance of RGS Amendment Bylaw 1562-2018 (SLRD RGS Review) by resolution. Accordingly, each local government must:

> *(a)review the regional growth strategy in the context of any official community plans and regional growth strategies for its jurisdiction, both those that are current and those that are in preparation, and in the context of any other matters that affect its jurisdiction, and*
>
> *(b)subject to an extension by the facilitator , within 60 days of receipt either*
>
> *(i)accept the regional growth strategy, or*
>
> *(ii)respond, by resolution, to the proposing board indicating that the local government refuses to accept the regional growth strategy.*

Note, if an affected local government fails to act within the period for acceptance or refusal, the local government is deemed to have accepted the regional growth strategy.

As required by section 436 of the *LGA*, please indicate by local government resolution either acceptance or refusal of RGS Amendment Bylaw 1562-2018 by October 6, 2019. Note a failure to accept will result in a non-binding resolution or arbitration process.

Should you have any questions, please contact Kim Needham, Director of Planning and Development Services at kneedham@slrd.bc.ca.

Sincerely,

Tony Rainbow,
Board Chair
Squamish-Lillooet Regional District

cc: Lynda Flynn, CAO, SLRD
Kim Needham, Director of Planning and Development Services, SLRD

enclosures: Timeline of Events:
https://www.slrd.bc.ca/sites/default/files/pdfs/planning/Regional-Growth-Strategy/TIMELINE%20OF%20EVENTS%20TO%20DATE_updatedAug2019.pdf

Consultation Schedule:
https://www.slrd.bc.ca/sites/default/files/pdfs/planning/Regional-Growth-Strategy/RGSReviewConsultationSchedule2016_FINAL_Aug2019_1.pdf

RGS Review Project Page (for full project details including staff reports and RGS Amendment Bylaw 1562-2018 and mapping):
https://www.slrd.bc.ca/inside-slrd/current-projects-initiatives/regional-growth-strategy-rgs-review

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-117
FROM:	Resort Experience	**FILE:**	LUC003
SUBJECT:	LUC003 – BAYSHORES LAND USE CONTRACT TERMINATION		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize staff to prepare the necessary bylaws to rezone lands subject to the Bayshores Land Use Contract and to terminate the Bayshores Land Use Contract (LUC) pursuant to sections 547 and 548 of the *Local Government Act*.

REFERENCES

Appendix "A" – Subject Property Map

Appendix "B" – Bayshores Land Use Contract

Appendix "C" – Draft Zone

PURPOSE OF REPORT

This Report recommends that Council authorize staff to prepare a zoning amendment bylaw for council consideration to terminate the Bayshores Land Use Contract (LUC) and rezone all properties within the Bayshores LUC area. The draft proposed RMB (Residential Multiple Bayshores) zone is attached to this Report as Appendix "C". If Council endorses the recommendation in this Report, staff will conduct a public information meeting for affected property owners prior to bringing the RMB zone forward for consideration by Council. If approved, the Bayshores Land Use Contract will be terminated and the zoning will take effect one year from the adoption of the Bylaw.

DISCUSSION

Background

Land Use Contracts (LUCs) existed as a regulatory tool between 1970 and 1980 and were used in place of zoning and other development bylaws to regulate development (land use, siting, infrastructure, amenities, form and character, environmental considerations, etc.). LUCs could "lock in" development regulations in perpetuity and could only be amended or terminated by agreement between the Municipality and land owner. LUCs were legislated out of use in the early 1980's, however existing LUCs remain in force.

In May of 2014, the *Local Government Act* was amended to automatically terminate all LUCs on June 30, 2024. The same legislation requires municipalities to zone all lands subject to LUCs by June 30, 2022. The *Local Government Act (LGA)* now allows unilateral, local government initiated termination of LUCs, provided zoning is in place prior to termination. A shorthand summary of the applicable sections of the *LGA* is provided below:

LGA Subsection	Summary Comment
546	• Allows for LUC amendments by way of Development Permit and/ or Development Variance Permit.
547	• Requires that all LUCs are terminated by June 30, 2024. • Requires local governments to adopt zoning by June 30, 2022.
548	• Allows for termination of LUCs prior to June 30, 2022 provided that the amending bylaw comes into force one year after adoption.
549	• Requires local government to give property owners written notice of LUC termination.
550	• States that all LUC's are hereby terminated as of June 30, 2024

On May 3, 2016, a staff Report to Council outlined the new legislation and recommended an approach for early termination of all LUCs in Whistler whereby one to two LUCs would be terminated per year. To date, two LUCs, Alpine Meadows and Brio, have been terminated.

The Bayshores LUC was enacted in April 1978 to authorize "the servicing of (the lands) in preparation for development of the same for single, duplex and multiple residential dwellings as defined by the Zoning By-law by conventional subdivision and by strata plan." This Land Use Contract is registered on the affected property titles as F80566. Clause IV of the LUC refers to Zoning Bylaw 9 (in effect at the time) for development standards (e.g. setbacks, height) with exceptions regarding site area requirements.

Bayshores LUC

The Bayshores LUC laid out servicing, subdivision and density provisions intended to initially divide the eastern portion of District Lot 3556 into 12 parcels, which were to accommodate 250 single family, duplex and multiple residential units. The 12 parcels would later be stratified and developed through the historically applicable development permit and building permit processes into ten separate strata plans.

Subsequently, 218 of the 250 allotted units were approved through development permits with the building type specifically assigned by strata lot. In many cases, this also included registering a restrictive covenant that established density regulations for each lot. Construction of the remaining 32 units was completed without development permits, being approved solely through the building permit process. The table below provides a more detailed breakdown of the number of units authorized and regulated by each of these different regulatory instruments or a combination thereof.

Number of Units	Type of Authorization
125	Development Permit with Covenant plus Building Permit
93	Development Permit plus Building Permit
32	Building Permit only

The above noted permits and covenants, along with the regulations contained in both the LUC and Zoning Bylaw 9, formed the basis of the proposed new zoning regulations. These permits and covenants will remain registered on affected property titles after the LUC is terminated.

Proposed Zone

Since the Bayshores LUC is based on Zoning Bylaw 9, it does not align with existing residential zones in the current Zoning and Parking Bylaw 303, 2015. For this reason, a new comprehensive zone has been developed where regulations are assigned at the strata lot level. The proposed zone is intended to mirror the regulations established by the LUC, applicable permits, and covenants for each strata lot.

One important consideration is auxiliary residential dwelling units (ARDUs), which are not addressed or provided for under the LUC. The proposed new zoning would allow for ARDUs in detached dwellings, consistent with other existing residential zones in Zoning and Parking Bylaw 303. This provides additional housing opportunities and consistency within residential zones. The associated density must be within the existing permitted maximum density for the strata lot for consistency with the LUC.

As shown in Appendix "C", each of the 248 strata lots are contained within subzones that correspond to the boundaries of each strata plan. Each strata lot has been assigned a permitted use and given development standards consistent with the requirements of the Land Use Contract, Zoning Bylaw 9, and applicable development permits.

To account for any potential historical inconsistencies, the proposed zone contains language that recognizes existing density or setbacks with proof of a building permit.

Applicability of General Regulations

The General Regulations contained in Zoning and Parking Bylaw 303 differ from those contained in the Land Use Contact (refers to Zoning Bylaw 9). The general regulations of Zoning Bylaw 303 were favoured in the interest of consistency, clarity and leniency. Considerations include:

- Auxiliary buildings: The General Regulations of Zoning and Parking Bylaw 303 restrict the size of auxiliary buildings in RM (Multiple Residential) zones to 56 m^2. To reflect existing conditions on the ground, the proposed RMB Zone specifies auxiliary building sizes as noted:
    - Auxiliary Buildings associated with detached dwellings: 70 m^2
    - Auxiliary Buildings associated with duplex dwellings: 50 m^2

- Parking on common property: The current zoning bylaw requires parking to be located on the subject parcel; however, some parking has historically occurred on strata-owned roads in Bayshores, which are on strata common property. The proposed zone will provide for continuation of existing parking, as is.

- Excluded gross floor area: Adoption of the proposed zoning will result in detached and duplex dwelling properties in Bayshores becoming eligible for gross floor area exclusions per Part 5 Section 26 of the current Zoning Bylaw No. 303, 2015. This is consistent with all other properties within RMOW boundaries that are regulated by Zoning Bylaw 303.

- Calculation of height: The method of calculating building height will change. Under the LUC, grade is established by averaging the grades around the entire building perimeter. Under Zoning Bylaw 303, lowest average grade is established by averaging the side of the building where the grade is lowest. This will not impact existing dwellings.

Analysis

Four overarching principles were developed as part of the process presented to Council on May 3, 2016. Those four principles are provided below, each with an accompanying analysis showing how these principles have been applied.

Principle	Comments
1. Adherence to legislation: New regulations will be drafted and adopted in accordance with the requirements of the *Community Charter* and *Local Government Act*. In cases where applicable legislation prohibits land use contact regulations from being enacted in current municipal bylaws, these regulations cannot be carried forward.	The new regulations have been drafted in accordance with the requirements of the applicable legislation. Most of the land use regulations established by the Bayshores LUC and subsequent permits were incorporated in the proposed zone.
2. Public engagement: *Local Government Act* requirements will be satisfied and additional consultation with affected property owners will occur.	The recommendations in this Report are consistent with *Local Government Act* requirements. Staff will be conducting a public information meeting for property owners in Bayshores prior to bringing bylaws forward for first reading. Prior to adoption, a public hearing must be held for the proposed bylaws.
3. Alignment of regulations: Wherever possible, existing land use contract development rights will be preserved and mirrored in new land use regulations. Similarly, site specific land use contract modifications will be incorporated where practical. "Spent" regulations—i.e. regulations that no are longer applicable—will not be carried forward into new regulations.	The proposed zoning mirrors the rules in the Bayshores land use contract and associated permits and covenants. The zoning aligns with existing development in the neighbourhood and also provides for applicability of general regulations consistent with similar zones and development types. LUC regulations not related to land use (e.g. infrastructure, subdivision, fees etc.) are "spent" regulations and there is no need to carry these regulations forward in zoning or other municipal bylaws.
4. Consistent and equitable approach: Through collective engagement, affected property owners will be treated consistently and fairly through the termination and rezoning process. There will be no fees charged to property owners for the termination and zoning process.	No fees have been charged to property owners for this termination. This is the third land use contract to be terminated and similar processes have and will be followed.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	1. Limits to growth are understood and respected.	The termination of LUCs in Whistler will eliminate regulatory confusion and allow for a more effective regulatory framework to better manage growth.
Built Environment	9. Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses.	Zoning is more flexible and easier to modify to reflect new building techniques and changing uses.

Termination of the Bayshores Land Use Contract does not move our community away from any of the adopted Whistler 2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

The proposed Land Use Contract Termination directly supports two strategies identified in the RMOW's 2018 Corporate Plan and one policy in OCP Bylaw 1983.

Policy Source	Policy	Comments
2018 Corporate Plan	Advance progressive community planning tools, policies and processes	The proposed bylaw supports a timely and responsible approach to meet Provincial requirements for LUC termination. A clearer and simpler regulatory process will be created.
2018 Corporate Plan	Execute on organizational commitments to improve customer service	The LUC regulatory system is more time consuming and costly for both applicants and the RMOW. Replacing LUCs with zoning will have a positive impact on customer service.
Official Community Plan Bylaw 1983	Policy 3.1.2.1: Support flexibility, diversity, adaptability and efficiency in land use development so the resort community can derive the greatest benefit from existing development.	Zoning is a more flexible tool that better supports flexible land use development and redevelopment.

Section 4.13 of the Official Community Plan (OCP) provides criteria for evaluating rezoning proposals. An analysis of the relevant criteria from Section 4.13 is provided in the table below. Staff consider that the proposed rezoning and LUC termination satisfies these requirements as noted:

	OCP Section	Comments
4.13.2	Proposed OCP amendments or rezoning's that increase the bed-unit capacity of the Municipality will only be considered if the development: a) provides clear and substantial benefits to the community and the resort; b) is supported by the community, in the opinion of Council; c) will not cause unacceptable impacts on the community, resort, or environment; and d) meets all applicable criteria set out in the OCP.	The rezoning and LUC termination process reflects what has already been built or permitted and does not result in an increase in bed units for the affected properties.
4.13.3	All proposed developments must meet the following mandatory conditions: a) The project must be capable of being served by Municipal water, sewer and fire protection services, or by an alternate means satisfactory to the Municipality. b) The project must be accessible via the local road system.	No new development is being proposed as part of LUC termination and rezoning process. Impact assessments were completed when the original subdivision occurred and all the properties are served by municipal infrastructure. The properties affected by the proposed bylaw are located in a designated development area on Schedule B of the OCP.

	c) The project must comply with all applicable policies of the OCP. d) The applicant must have complied with the Environmental Impact Assessment process in Schedule O and in addition all proposed developments must be evaluated, to the satisfaction of the Municipality, to assess impacts on: - traffic volumes and patterns on Highway 99; - traffic volumes and patterns on the local road system; - overall patterns of development of the community and resort; - Municipal finance; - views and scenery; - existing community and recreation facilities; - employee housing; - community greenhouse gas emissions; and - heritage resources. e) The project must exhibit high standards of design, landscaping, and environmental sensitivity.	

DEVELOPMENT PERMIT REQUIREMENTS

The Bayshores LUC area is not currently within a development permit area as governed by the current OCP (1993 OCP). The updated 2018 OCP that is planned to be adopted in the near future will apply development permit requirements for multi-family residential development, protection of riparian ecosystems and wildfire protection.

BUDGET CONSIDERATIONS

The termination of Whistler's LUCs is a planned, multi-year project required to be undertaken by the RMOW. Subsequently, all costs of preparing the bylaw and required public notifications are provided for under the existing planning department budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

Consistent with the overall project approach supported by Council, staff recommend a public information meeting for members of the neighbourhood to review the proposed zone prior to council consideration of first and second reading. Staff also proposes to mail out the proposed zoning referenced in Appendix "C" to all property owners with the opportunity to ask questions or comment within a one month period.

The *Local Government Act* also contains requirements for notification and consultation. These include:

- A public hearing for the proposed bylaw, held prior to final consideration by Council, including a notification in the local paper.
- Written notification to property owners notifying them of the adoption of the bylaw terminating the LUC. This notice must state the date of LUC termination and advise the owner of their right to apply to the Board of Variance for a delay of early termination.

SUMMARY

This Report recommends that Council authorize staff to prepare a zoning amendment bylaw terminating the Bayshores Land Use Contract (LUC) from all subject properties. This bylaw will be brought forward for consideration of first and second reading at a later date.

Discharging LUCs is a provincially legislated requirement. A proposed zone has been drafted in accordance with the work plan for early LUC termination (presented to Council in 2016), and the requirements of the *Local Government Act*.

Termination of the Bayshores LUC replaces an outdated and inefficient regulatory scheme with modern, streamlined, consistent and accessible zoning regulations.

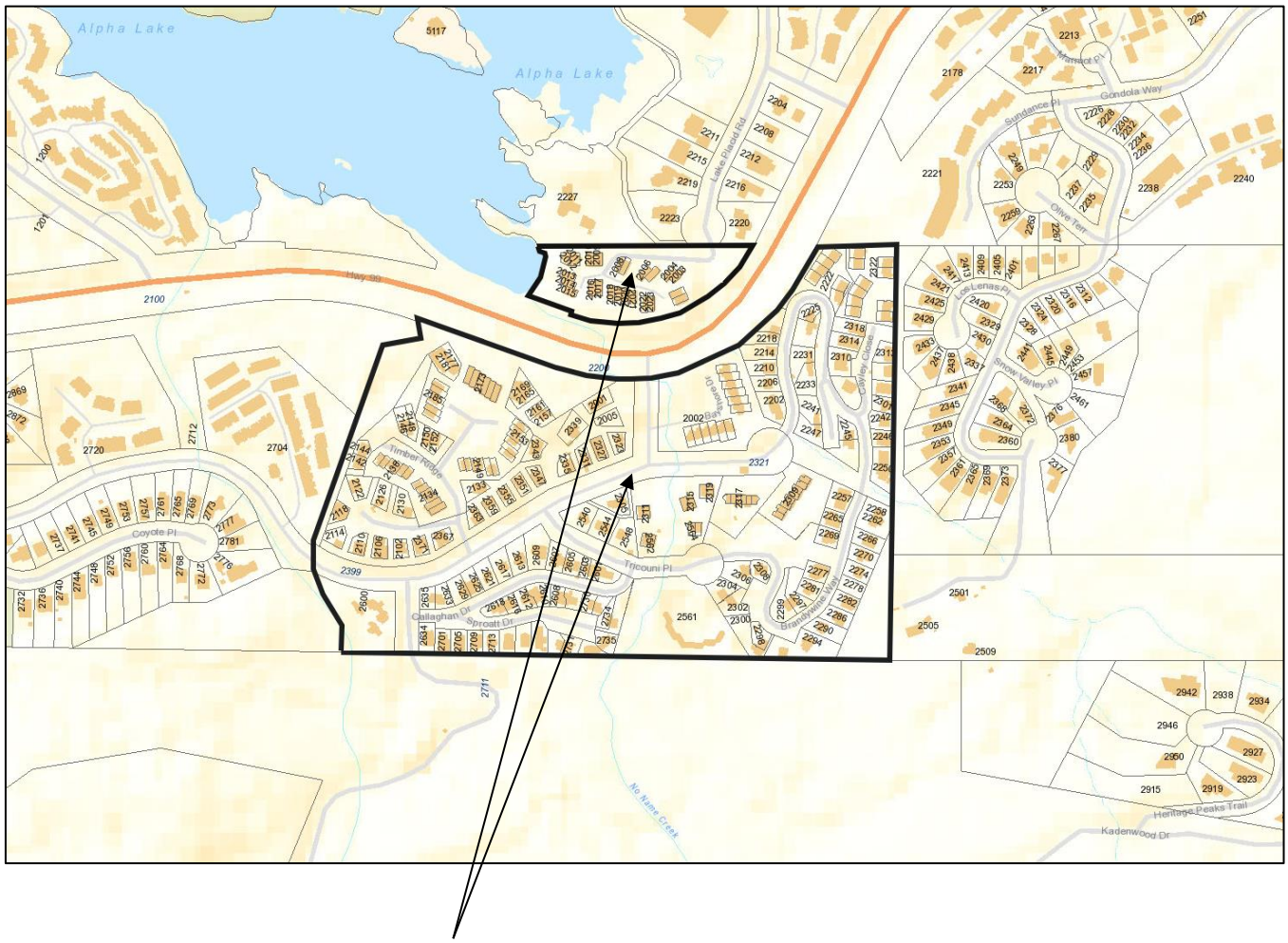
Respectfully submitted,

Brook McCrady
PLANNING ANALYST

and
Roman Licko
PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A – Subject Property Map



Subject properties

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

Appendix B

566886L

80566

Substitute for form 'C' F 80566

Date ~~August 24~~ NOVEMBER 14 1978

Declared value $ 50.00

Please merge N/A.

Tel No. .55

Nature of Interest Land Use Contract.

Disposition of C/T Cancel.

Applicant BE. Emerson.

as Solicitor/Agent

EMERSON AND COMPANY
Ste. 317 2438 Marine Drive
West Vancouver, B. C.

THIS AGREEMENT made the 10th day of APRIL, 1977.

BETWEEN:

RESORT MUNICIPALITY OF WHISTLER, a municipal corporation created by Special Act of the Legislature of the Province of British Columbia, having its principal offices at Whistler, Province aforesaid,

(hereinafter called "the Municipality")

OF THE FIRST PART

AND:

PACIFIC LOGGING COMPANY LIMITED, a body corporate under the laws of the Province of British Columbia, having an office at 468 Belleville Street, Victoria, Province aforesaid,

(hereinafter called "the Title Holder")

OF THE SECOND PART

AND:

BAY SHORES DEVELOPMENT LIMITED, a body corporate under the laws of the Province of British Columbia, having an office at 102 - 626 Clyde Avenue, West Vancouver, Province aforesaid,

(hereinafter called "the Developer")

OF THE THIRD PART

WHEREAS the Municipality, pursuant to Section 702A of the "Municipal Act", may, upon the application of an owner of land within a development area designated as such by by-law of the Municipality, enter into a land use contract containing such terms and conditions for the use and development of the land as may be mutually agreed upon and thereafter the use and development of that land shall be in accordance with such land use contract;

AND WHEREAS the "Municipal Act" requires that the Municipal Council in exercising the powers given by Section 702A shall have due regard to the considerations set out in Section 702(2) and Section 702A(1)

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14 NOV 78

in arriving at the use and development permitted by any land development contract;

AND WHEREAS the Developer has presented to the Municipality a scheme for the use and development of the within described lands and premises and has made application to the Municipality to enter into this Land Use Contract under the terms, conditions and for the consideration hereinafter set forth;

AND WHEREAS the Council of the Municipality, having given due regard to the considerations set forth in Section 702(2) and Section 702A(1) of the "Municipal Act" has agreed to the terms, conditions and considerations herein contained;

AND WHEREAS the Developer acknowledges that it is fully aware of the provisions of Section 702A of the "Municipal Act" and that the Council of the Municipality cannot enter into this Land Use Contract until;

(a) The Council has held a Public Hearing on a By-law authorizing the Contract, has duly considered the presentation made at such hearing, and unless at least two thirds of all the members of the Council present at the meeting at which the vote is taken and who are entitled to vote on the By-law vote in favour of the same and,

(b) The Minister of Highways has approved the said By-law pursuant to the Controlled Access Highways Act, and

(c) The Inspector of Municipalities has approved the said By-law pursuant to the Resort Municipality of Whistler Act.

NOW THEREFORE THIS CONTRACT WITNESSETH that in consideration of the premises and the conditions and covenants hereinafter set forth, the Municipality, the Owner and the Developer covenant and agree as follows:

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

80566

I. SCOPE AND PURPOSE OF CONTRACT

This Contract contemplates the development of the East half of District Lot 3556 declared by By-law # 45 of the Municipality to be a development area by the subdivision thereof into twelve parcels as generally shown on a site plan annexed hereto as Schedule "A".

This Land Use Contract only authorizes, subject to the provisions hereof, the servicing of said lands in preparation for development of the same for single, duplex and multiple residential dwellings as defined by the Zoning By-law by conventional subdivision and by strata plan. This Contract does not authorize the construction of such dwellings nor the use and development of the remainder of District Lot 3556.

PLAN REFERRED TO HEREIN PRESERVED AND HELD UNDER DOCUMENT NUMBER E80566

II. DEFINITIONS

"Complete" or "Completion" or any variation of these words when used with respect to the Work and Services referred to herein shall mean completion to the satisfaction of the Municipal Engineer or Municipal Planner as the case may be when so certified by either or both of them in writing as this Contract may require.

"Certificate of Completion" means a certificate issued by the appropriate officer of the Municipality and signed by him upon completion of the works or any part thereof.

"Certificate of Acceptance" means a certificate issued by the Municipal Engineer and signed by him accepting the off-site services on behalf of the Municipality in accordance with the provisions of this Contract.

"Municipal Engineer" means an engineer employed by the Municipality by salary or retainer in his capacity as a professional engineer.

"Municipal Planner" means a planner employed by the Municipality by salary or retainer in his capacity as a professional planner.

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

"Off-Site Works" means the services described in the Schedule "C" to this Contract.

"Services" means all utilities such as road, sidewalks, street lighting, sewerage, water, electrical, gas and telephone connections inclusive of any pipe, wire or structure used in connection with the provisions for such utility as may be required by this Land Use Contract.

"Site Plan" means that part of the plan comprising Schedule "A" to this Contract dated February 1 1977 showing outlined in red the proposed development of the land.

"Subdivision Control By-law" means By-law # 11 of the Municipality.

"Subdivision Plan" means a plan comprising of Schedule "B" to this Contract.

"Impost By-law" means the Whistler Sewer Capital Contribution By-law # 62 as if the same were duly enacted and in force.

"Zoning By-law" means the Resort Municipality of Whistler Zoning By-law # 9, 1975.

PLAN REFERRED TO HEREIN
PRESERVED AND HELD UNDER
DOCUMENT NUMBER F80566

III LAND DESCRIPTION

The Developer is the registered holder of the last registered agreement for the sale and purchase of all and singular that certain parcel or tract of land and premises in the Province of British Columbia, more particularly known and described as:

Vancouver Assessment District
District Lot 3556, except that portion
within Plan 14962
Group 1
New Westminster District

(hereinafter variously called the "Land");

And whereas the Title Holder is the registered owner of the Land and has executed this Agreement solely as such Title Holder and not in any way as developer or beneficial owner;

The Developer has obtained the consent of all other persons holding any registered interest in the Land as set out in the Consents to the use and development proposed herein, which Consents are listed

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and attached hereto as Schedule "E".

IV. ZONING BY-LAW - APPLICABILITY

All the provisions of the Zoning By-law shall apply to the use and development of the land authorized by this Contract except sections 4.2.3, 4.3.3, 4.4.3, 4.2.9 and 4.3.9.4.

V. DENSITY

The Maximum number of Dwelling units permitted for each of the 12 parcels in accordance with their gross and net acreages, including the required acreage for parking on each parcel is shown on Schedule "F" hereto.

VI. OFF-SITE SEWER SERVICES - RIGHT-OF-WAY

Prior to the approval of the subdivision plan by the Approving Officer of the Municipality, the Developer will obtain and register in the Land Registry Office in favour of the Municipality pursuant to Section 24 of the Land Registry Act, a Right-of-way for sewerage purposes over District Lot 4749 as provided by Schedule "D" hereto making provision for the collection and conveyance of sewage from the said Land Sewerage System.

VII. WATER SYSTEM

The Developer agrees to provide at its sole expense a Community Water System to serve the Land (as subdivided) in accordance with the provisions of the Subdivision Control By-law in that behalf. To the extent that components of such community water system are constructed in, upon and under any highway dedicated by the deposit of the subdivision plan (Schedule "B" hereto) of the said components shall be deemed to be Off-Site Works.

VIII SEWER SYSTEM

The Developer agrees to provide at its sole expense a Community Sewer System to serve the Land (as subdivided) in accordance with the provisions of the Subdivision Control By-law in that behalf.

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The Developer further agrees at its sole expense to provide the necessary sewer lateral in the Right-of-Way acquired over District Lot 4749 in accordance with clause VI hereof in order that the Community Sewer System provided hereunder be connected to the existing Municipal Sewer System. To the extent that components of the Community Water System are constructed in, upon and under any highway dedicated by the deposit of the subdivision plan (Schedule "B' hereto) said components shall be deemed to be Off-Site Works.

IX. HIGHWAYS

The Developer agrees to provide at its sole expense highways which will be created by the deposit of the Subdivision Plan in accordance with the Subdivision Control By-law in that behalf.

X. SUBDIVISION

The Developer will as soon as practicable after the final adoption of the By-law approving this Land Use Contract deposit the Subdivision Plan in the Land Registry Office.

The Municipality shall have custody of the Subdivision Plan once it is approved by the Approving Officer of the Department of Highways and the Municipality shall not be under any duty or obligation to release the said plan to the Developer or anyone else until either;

a) All the Services required by this Land Use Contract have been provided to the satisfaction of the Municipal Engineer and a declaration has been given by the Developer verifying that the same have been paid for or;

b) The Developer has deposited with the Municipality for the due and proper performance of the Developer hereunder with respect to Services, security in the form of irrevocable letters of credit, cash or bearer bonds satisfactory to the Clerk Treasurer of the Municipality for an amount equal to 200% of the costs of all Services to be performed by the Developer as accepted by the Municipal Engineer. The amount of this security may be

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reduced from time to time as the obligations of the Developer with respect to Services are performed, in an amount approved by the said Clerk Treasurer.

XI. BUILDING PERMITS

No Building Permits shall be applied for nor issued with respect to the Land until such time as a Certificate of Completion has been given in accordance with Clause XIV hereunder.

XII. OFF-SITE SEWER COSTS

The Developer shall provide to the Municipality an appraisal of the cost of installation of the sewer within District Lot 4749 referred to in Clause VIII hereof. If such appraisal is accepted on behalf of the Municipality by the Municipal Engineer, the amount of such costs, subject to independent audit to the satisfaction of the Municipality, shall be paid by the Municipality to the Developer after a Certificate of Completion with respect to such sewer has been issued pursuant to Clause XIV, from any impost fees for sewers paid to the Municipality pursuant to Clause XIII, provided, however, that such payment shall not exceed in the aggregate the total amount of the impost fees received therefor and provided further that there shall be no repayment of such impost fees to the Developer unless the Developer instals the sewers.

XIII. IMPOST FEES

Notwithstanding the Impost Fee By-law, the sewer impost fees and recreation impost fees levied thereby shall be payable with respect to any parcel created by the Subdivision Plan (Schedule "B") only at the time when a Building Permit is applied for with respect to such parcel by the then owner thereof. Impost fees are payable on application for Building Permits and for the number of units applied for.

XIV. SERVICES - COMPLETION

The Municipality covenants and agrees that it shall, upon satisfactory completion by the Developer of all its undertakings with respect to Services hereunder or upon completion by the Municipality pursuant to Clause XVIII provide the Developer with a Certificate of Completion of the same signed by the Municipal Engineer.

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XV. SERVICES - ACCEPTANCE

Subsequent to the issuance of a Certificate of Completion pursuant to Clause XIV the Developer shall maintain the Services for a period of 12 months to insure their performance to the satisfaction of the Municipal Engineer. After the expiration of the said period of 12 months the Developer shall be entitled to a Certificate of Acceptance signed by the Municipal Engineer at which time the Municipality will return the securities to be deposited by the Developer in accordance with Clause X s.s.2 above.

XVI. SERVICES - OWNERSHIP

Upon the issuance of a Certificate of Acceptance with respect to Services issued pursuant to Clause XV the said Services except Community Water System and B.C Hydro installations shall become and be deemed to be property of the Municipality free and clear of any claim by the Developer ~~or the Owner~~ or any person claiming through the same. The Developer ~~and the Owner~~ hereby covenant and agree to save harmless the Municipality of and from any such claim.

XVII. SERVICES - MAINTENANCE

Except as is provided in Clause XV, the Municipality shall, from the date of issuance of a Certificate of Acceptance pursuant to Clause XV become solely responsible for the operation, upkeep and maintenance of said Services.

XVIII. SERVICES - FAILURE TO COMPLETE

(a) The Developer covenants and agrees to place, construct and install all of the Services as provided for in this Land Use Contract not later than the 31st day of October 1979. Upon the failure of the Developer so to complete to the satisfaction of the Municipal Engineer, the Municipality shall be at liberty to call in the Letter of Credit or other security if deposited in accordance with Clause X(2)(b) hereof, and the Municipality shall proceed to place, construct and install such portion or parts of the Services with respect to which the Developer has defaulted, not later than the 31st day of October 1980. The Developer further covenants and agrees that twenty-five percent (25%) of any monies forming part of said security remaining after payment in full of the cost to the Municipality of placing, constructing and installing the

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said Services shall be retained by the Municipality as liquidated damages and not as a penalty.

(b) The Municipality agrees that, on the application of the Developer, it will extend for a reasonable period the time limit under subclause (a) for the installation of the On-Site Works provided that the work of installation has been commenced and is being proceeded with continuously and expeditiously.

XIX. PAYMENTS TO THE MUNICIPALITY

The Developer covenants and agrees:

a) To pay all arrears of taxes outstanding against the Land prior to the execution of this Contract by the Municipality;

b) To pay all current taxes levied or to be levied on the said Land on the basis of and in accordance with the assessment and Tax Roll entries; and

c) To pay to the Municipality all its costs, except the first $500.00, for its administration, engineering and legal services with respect to the Services and/or this Land Use Contract, in an amount not to exceed $5,000.00.

XX. INDEMNIFICATION OF MUNICIPALITY

The Developer covenants to save harmless and effectually indemnify the Municipality, its officers, employees and/or agents against;

a) All actions and proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of the construction of the said Works or any other Work authorized or required by this Land Use Contract;

b) All expenses and costs which may be incurred by reason of the execution of the said Works or any other Work required by the Land Use Contract resulting in damage to any property owned in whole or in part by the Municipality, or which the Municipality by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, repair or maintain; and

c) All expenses and costs which may be incurred by reason of liens for non-payment of labour or materials, workmen's compensation assessments, unemployment insurance, Federal or Provincial tax, check-off and for encroachments owing to mistakes in survey.

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XXI. DEVELOPMENT BY STRATA TITLE

Save as hereinbefore provided there shall be no subdivision of the Land but nothing in this Contract shall restrict the right of the Developer to subdivide the Land pursuant to the Strata Titles Act at a time of its own choosing and to obtain the approval of the Municipality thereto whether such approval is required by law or not, such approval not to be unreasonably withheld.

XXII. AS-BUILT DRAWINGS

The Developer shall submit to the Municipality the final reproduced As-Built Drawings of the Services as constructed and approved by the Municipal Engineer as soon as possible after completion of Services and prior to the issuance of a Certificate of Completion pursuant to Clause XIV.

XXIII. PROSPECTUS

The Developer shall prepare a prospectus satisfactory to the Council of the Resort Municipality of Whistler which shall incorporate the following:

a) A description of the development
b) A summary of the provisions of this Land Use Contract
c) A specific statement regarding the density or number of residential units permitted on each lot created by this Land Use Contract.
d) A statement that impost fees are payable at time of building permit.

The Developer agrees that at or before the time a purchaser enters into an agreement to purchase a lot or lots, that the developer will deliver to each purchaser a true copy of the prospectus referred to above and will afford that purchaser the right to read the prospectus.

XXIV. MISCELLANEOUS

1. The Developer covenants and agrees to provide evidence to the satisfaction of the Municipal Engineer that all the requirements of the B.C. Hydro and Power Authority with respect to the installation of hydro utilities on the said Land have been complied with by the Developer.

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2. The Developer or its successors in title shall pay, prior to the issuance of any building permit any and all charges payable under the provisions of the Whistler Recreation Facility Capital Contribution By-law No. 63, 1977.

3. The Municipality hereby covenants and agrees to permit the Developer to use and develop the Land upon the terms and conditions set forth in this Land Use Contract.

4. It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Developer other than those in this Land Use Contract.

5. Wherever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine, or body corporate or politic where the contract or the parties so require.

6. Schedules "A" - "F" herein before referred to are hereby incorporated into and made part of this Contract.

7. Subject to this Contract, the Services, Works and Development of the Land hereunder shall comply with all the By-laws of the Municipality.

8. This agreement shall inure to the benefit of and be binding upon the parties hereto, their representatives, successors and assignees.

XXV. PROVIDED that the Title Holder has executed this Land Use Contract solely as the registered owner of the Land. The Title Holder has not granted and will not grant any covenants to the Municipality with respect to this Land Use Contract and the Municipality acknowledges and agrees that the Title Holder is not bound by any of the covenants of this Land Use Contract except as the same relate to the Land. All covenants in this Land Use Contract are given by the ~~owner~~ DEVELOPER.

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37

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This Agreement was approved by By-law of the Council of the Municipality on the 18th day of APRIL, 1977.

The Corporate Seal of the RESORT MUNICIPALITY OF WHISTLER was hereunto affixed in the presence of:

MAYOR

MUNICIPAL CLERK

The Corporate Seal of PACIFIC LOGGING COMPANY LIMITED was hereunto affixed in the presence of:

PRESIDENT

SECRETARY

The Corporate Seal of BAY SHORES DEVELOPMENT LIMITED was hereunto affixed in the presence of:

pres. + director

Approved under the Controlled Access Highways Act
this 15 day of FEB 1978

Approving Officer, Ministry of Highways & Public Works

Tamarisk
140 UNITS

ALPHA LAKE

W/L 2058·0

GARIBALDI HIGHWAY

SKI LIFT BASE 1700 ft.

Balance of D.L. 3556

Existing Road

D.L. 1754

D.L. 3556

Lot 1
7.90 AC

Lot 2
8.00 AC

Lot 3
2.64 AC

Lot 4
3.49 AC

Lot 5
8.86 AC

Lot 6
3.38 AC

Lot 7
3.92 AC

Lot 8
1.90 AC

Lot 9
1.49 AC

Lot 10
.74 AC

Lot 11
4.76 AC

Lot 12
.90 AC

SLOPES GREATER THAN 40%

PRIVATE ROAD ACCESS

ecosign
mountain recreation planners

Date: October, 1977

Project:
Bay Shore Developments Ltd.
Subdivision of D.L. 3556

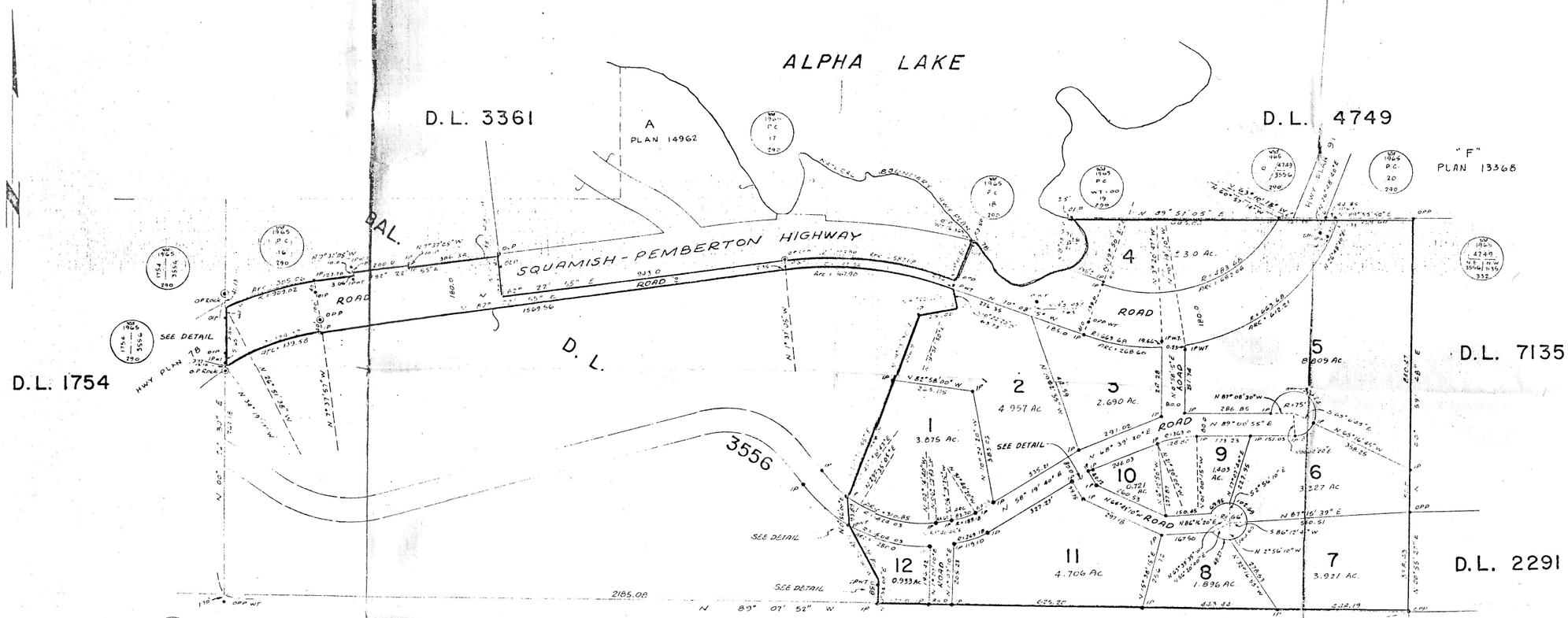
Scale: 0' 200' 400'

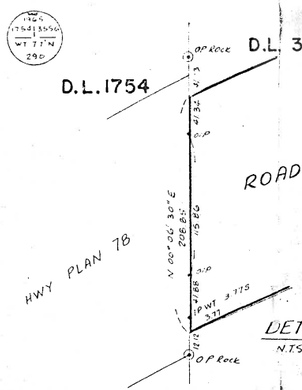
Plan Number: P76C02-03

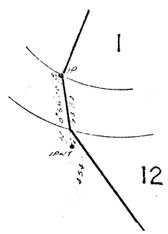
Title: D.L. 3556
SITE PLAN

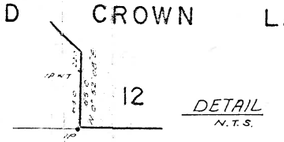
SUBDIVISION PLAN OF A PORTION OF D.L. 3556, Gp. 1, N.W.D.

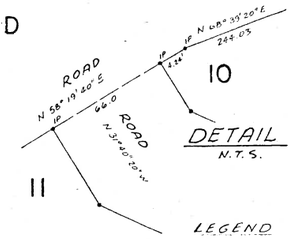
SCALE:- 1 INCH = 200 FEET











Owner _____

Witness _____

Owner _____

Witness _____

LEGEND

Scale 1 inch = 200 feet

Bearings are astronomic derived from Plan HWY. PLAN 78

- oip Indicates old iron post found
- opp Indicates standard pipe post found
- ip Indicates iron post set
- ⊙ OPcon Indicates old concrete post found
- ⊙ OPRock Indicates old rock post found
- LP Indicates lead plug set
- WT Indicates witness
- CIP Indicates capped iron post set

PLAN _____

Deposited in the Land Registry Office at _____ B.C. This _____ day of _____ 19__

Registrar

Approved under the Land Registry Act This _____ day of _____ 19__

Approving Officer
Municipality of Whistler
Clerk - Treasurer

This plan lies within the Squamish - Lillooet Regional District

Approved under the Land Registry Act This _____ day of _____ 19__

Approving Officer
Ministry of Highways and Public Works

I, C Wagenaar of the Municipality of Richmond British Columbia Land Surveyor make oath and say that I was present at and did personally superintend the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 3rd day of November 1977.

B C L S

Sworn before me at ~~Richmond~~ VANCOUVER B.C. This 3RD day of NOVEMBER 97

John A. McDonald

A commissioner for taking affidavits within British Columbia

Job No. 95-72

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.

SCHEDULE "C"

OFF-SITE-WORKS

1. Community Water System.

2. Community Sewer System.

3. Sewer lateral across the Right-of-Way on District Lot 4749

4. Highways

PLAN OF RIGHT-OF-WAY OVER A PORTION OF D. L. 4749, GP 1, N.W.D.

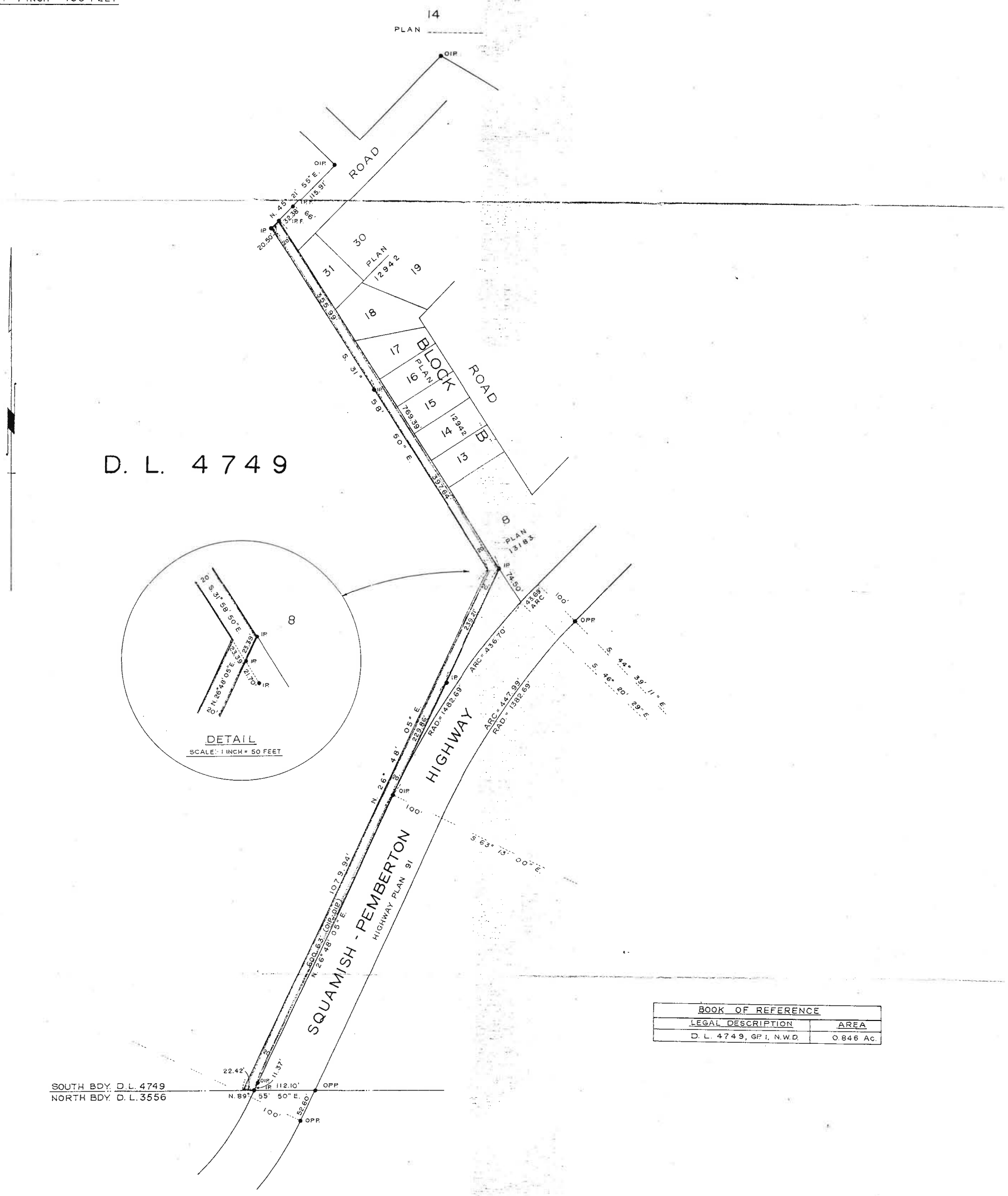
FOR SEWERAGE PURPOSES

SCALE:- 1 INCH = 100 FEET

PLAN

Deposited in the Land Registry Office at Vancouver, B.C. on the day of , 197

REGISTRAR.



BOOK OF REFERENCE	
LEGAL DESCRIPTION	AREA
D. L. 4749, GP 1, N.W.D.	0.846 Ac.

I, Brian J. Oke, of the City of Vancouver, a British Columbia Land Surveyor, make Oath and say that I was present at and did personally superintend the Survey represented by this Plan and that the Survey and Plan are correct. The said Survey was completed on the 1st day of September, 1977

Brian J. Oke
B.C.L.S

Sworn before me at Vancouver, B.C. on this 6th day of September, 1977

A Commissioner for taking Affidavits within the Province of British Columbia.

LEGEND:-

Bearings are Astronomic and derived from Highway Plan 91

- O.P.P. denotes old pipe post found
- O.I.P. " old iron post found
- I.P.F. " iron post found
- I.P. " iron post set

This Plan lies within the Squamish-Lillooet Regional District

HERMON, COTTON & BUNBURY,
DOMINION & B.C. LAND SURVEYORS
VANCOUVER & SQUAMISH, B.C.

F.B. 1166 O.T. P 49-52

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.2

SCHEDULE "D"

RIGHT-OF-WAY FOR SEWERAGE PURPOSES OVER DISTRICT LOT # 4749

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.2

SCHEDULE "F"

LIST OF CONSENTS TO LAND USE CONTRACT

Bank of Montreal

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.2

SCHEDULE "F"

LOT #	GROSS AREA	NET AREA	TOTAL UNITS	PARKING AREA
1	3.90 acres	3.08 acres	24	.22 acres
2	5.00	4.06	32	.29
3	2.64	2.07	16	.15
4	3.49	2.89	23	.21
5	8.65	6.63	53	.49
6	3.30	2.06	16	.15
7	3.81	2.53	20	.18
8	1.90	1.71	13	.12
9	1.49	1.31	10	.09
10	.74	.55	4	.04
11	4.76	4.35	34	.31
12	.90	.73	5	.05
	40.58	31.97	250	2.30

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APPROVED PURSUANT TO SECTION 5 OF THE RESORT MUNICIPALITY OF WHISTLER ACT THIS 21st DAY OF MARCH 1978.

DEPUTY INSPECTOR OF MUNICIPALITIES

RESORT MUNICIPALITY OF WHISTLER

BYLAW NO. 81

A Bylaw to amend the Resort Municipality of Whistler Zoning Bylaw No. 9, 1976, by the approval of a Land Use Contract.

WHEREAS Section 702 A of the Municipal Act provides that the Resort Municipality of Whistler may enter into a Land Use Contract for the development of any area previously declared by Bylaw to be a development area.

AND WHEREAS Bylaw No. 45 established a Development Area on the eastern half of District Lot 3556, Group 1, N.W.D.

AND WHEREAS the Official Community Plan for the Resort Municipality of Whistler designates this land aforementioned as POTENTIAL RESIDENTIAL;

NOW THEREFORE the Council of the Resort Municipality of Whistler in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Resort Municipality of Whistler Zoning Bylaw No. 9, 1976, Land Use Contract Approval Bylaw (Bayshores) No. 81, 1977".

2. The Land Use Contract between the Resort Municipality of Whistler and Pacific Logging Company Ltd. and Bayshores Development Ltd. respecting the real property described as the eastern half of D.L. 3556, Group 1, N.W.D. is hereby approved.

3. The Mayor and the Clerk/Treasurer are hereby authorized to sign the aforementioned Land Use Contract and to affix the Corporate Seal thereto.

READ A FIRST and SECOND time this 5th day of December , 1977.

Pursuant to Section 703 of the Municipal Act, a Public Hearing was held on the 2nd day of January, 1978.

READ A THIRD time this 2nd day of January , 1978.

Received the Approval of the Inspector of Minicipalities the 21st day of March , 1978

RECONSIDERED AND finally ADOPTED this 10th day of April , 1978.

Wm.(Pat) Carleton, Mayor

G. F. Pearce, Clerk/Treasurer

This is to certify that this is a true copy of Bylaw No. 81, cited as the "Resort Municipality of Whistler Zoning Bylaw No. 9, 1976, Land Use Contract Approval Bylaw (Bayshores) No. 81, 1977"

G. F. Pearce, Clerk/Treasurer

This 15th day of FEB 1978

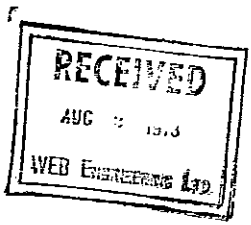
Approving Officer - Ministry of Highways & Public Works

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

PAL ENGINEERING

125 MOUNTAINVIEW DRIVE :: WHISTLER, B.C. :: VON 1B0 :: TEL. 932-5136

1978 06 29



WEB Engineering Ltd.
101 - 1861 Welch Street
North Vancouver, B.C.
V7P 1B7

Attention: E.D. Webber, P.Eng.

Dear Sirs:

Re: Bay Shores Development
Fire Flow

I Nandor Pal, Professional Engineer, certify as follows in connection with the water supply to Part of D.L. 3556 from the Alpha Creek Waterworks System:

1. Based upon the Insurance Advisory Services Guidelines, the following fire flow is available at the points shown on Dwg. No. SK-2, with a residual pressure of 20.0 psi., while delivering a maximum daily domestic demand of 87.0 Imp. gpm. to the planned development. This domestic demand is based on the design standards of the Resort Municipality of Whistler and is in addition to the existing Tamarisk domestic demand of 48 Imp. gpm.

2. The planned development of the whole system as constructed will impose a maximum domestic daily demand of about 200,000 I. gpd. or 135 Imp. gpm. based on upon the design standards of the Resort Municipality of Whistler.

3. The watermain system as constructed and as proposed to be altered is capable of delivering the combined flows as stated under (1). The flows proposed are consistent with the type of development, namely:

   a, one and two family dwellings, two storeys high with 31 - 100 ft. exposure distance and with a suggested required fire flow of 600 - 800 gpm, and

   b, condominium units with 20 ft. separation, one side exposure and a calculated minimum fire flow of 896 gpm. or a corrected 960 gpm. as shown for Modern Town Houses or Row Houses under the general estimate in the Insurance Advisory Service Guidelines. The submissions are based on the higher 960 gpm. fire flow.

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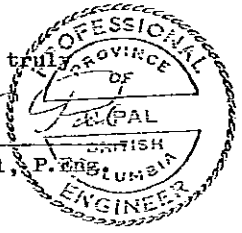
4. Based upon existing 60,000 I. gallons reservoir capacity and the known dry weather flow of Alpha Creek 30,000 I. gallons (information collected by Others, and subject to a change when new flow measurements are completed during the next low flow season), the storage defficiency is 42,000 Imp. gallons to provide for 2 hours fire flow at 960 gpm. and the daily peak domestic flow of 135 gpm.

5. To date the proposed strata lots have not been sold and consequently the type of construction not yet been established. It could be eather condominium type, or one and two family dwellings, or the combination of both. The fire flow requirement effecting the pressure losses can be finalized only when the above choice has been made by the Owners and buildings are located. Until that time designed pressures within the individual lots can only be considered as tentative.

Yours truly,



N. Pal, P. Eng.

NP:mh

Encl.

cc. Resort Municipality of Whistler
Bay Shores Development Ltd.

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

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LAW AND COMMERCIAL STATIONERS FORM No. 92

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 23 day of ~~November~~ AUGUST, 1978, at SQUAMISH, in the Province of British Columbia, ~~(whose identity has been proved by the evidence on oath of~~ Geoffrey F. Pearce, who is) personally known to me, appeared before me and acknowledged to me that he is the Clerk/Treasurer of THE RESORT MUNICIPALITY OF WHISTLER, and that he is the person who subscribed his name to the annexed instrument as Clerk/Treasurer of the said RESORT MUNICIPALITY OF WHISTLER and affixed the seal of the said Municipality to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at SQUAMISH in the Province of British Columbia, this 23 day of ~~November~~ AUGUST, one thousand nine hundred and seventy-~~seven~~ eight.

~~A Notary Public in and for the Province of British Columbia.~~
A Commissioner for taking Affidavits for British Columbia.

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LAW AND COMMERCIAL STATIONERS FORM No. 92

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 30th day of November, 1977, at VICTORIA, in the Province of British Columbia, ~~(whose identity has been proved by the evidence on oath of~~ MAURICE J. AYERS, who is) personally known to me, appeared before me and acknowledged to me that he is the SECRETARY of PACIFIC LOGGING COMPANY LIMITED, and that he is the person who subscribed his name to the annexed instrument as SECRETARY of the said PACIFIC LOGGING COMPANY LIMITED and affixed the seal of the said Company to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at VICTORIA in the Province of British Columbia, this 30th day of November, one thousand nine hundred and seventy-seven.

~~A Notary Public in and for the Province of British Columbia.~~
A Commissioner for taking Affidavits for British Columbia.

EDWIN VERNON GRAHAM
A Commissioner for taking
affidavits for British Columbia

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LAW AND COMMERCIAL STATIONERS FORM No. 92

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 29 day of November, 1977, at Vancouver, in the Province of British Columbia, ~~(whose identity has been proved by the evidence on oath of~~ ANDREW E. McGREGOR, who is) personally known to me, appeared before me and acknowledged to me that he is the President of BAY SHORES DEVELOPMENT LIMITED, and that he is the person who subscribed his name to the annexed instrument as President of the said BAY SHORES DEVELOPMENT LIMITED and affixed the seal of the said Company to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at Vancouver in the Province of British Columbia, this 29 day of November, one thousand nine hundred and seventy-seven.

~~A Notary Public in and for the Province of British Columbia.~~
A Commissioner for taking Affidavits for British Columbia.

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

WEB Engineering Ltd.
101 - 1861 Welch Street
North Vancouver, B.C. V7P 1B7
Telephone 985-9556

80566

August 8, 1978

Resort Municipality of Whistler
P.O. Box 35
Whistler, B.C.
VON 1BO

Attention: Mr. G.F. Pearce
Clerk/Treasurer

Dear Sirs:

Re: Bay Shores Development Water System

I am now in receipt of a Certificate from Nandor Pal, Professional Engineer, setting out under his seal, the conditions which pertain to the waterworks system, known as Alpha Creek Waterworks System, as they apply to domestic demands and to the proposed fire flow demands imposed by the new development.

Under Item 3B of the Certificate, the Engineer proposes that the type of development would be modern townhouses demanding 960 gallons per minute fire flow. It is my belief that townhouses can be designed to impose such a condition even though this amount is at the minimum end of the range. Accordingly, it is recommended that the land use contract contain reference to the type and design of units consistent with this fire flow.

In Clause 4 of the Certificate, the Engineer has identified a deficiency of 42,000 Imperial gallons based upon this fire flow. It is understood that the developer is aware of this deficiency and is prepared to make some commitment to participate with other developers in resolving this particular deficiency. It should be noted that storage for fire flow is applicable to the whole system and in that this system is already deficient in fire flow storage it is reasonable that others participate in this corrective requirement.

I am now satisified that the system has been examined and that both the owner, his engineer and the Municipality are aware of deficiencies which exist in the system. I am therefore prepared to recommend that the system as proposed by the engineer be accepted for incorporation in the land use contract subject to the limitations and deficiencies stated in the certificate. It is also recommended that this certificate be a schedule attached to the land use contract.

Yours very truly,
WEB Engineering Ltd.

E.D. Webber, P. Eng.

EDW:wh
263-1

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

THE RESORT MUNICIPALITY OF WHISTLER 80566

LAND USE CONTRACT

CONSENT

KNOW ALL MEN BY THESE PRESENTS THAT:

BANK OF MONTREAL, a chartered bank of Canada having a branch office at 4502 West 10th Avenue, Vancouver, British Columbia, V6R 2J1, being the holder of one charge by way of a mortgage registered at the Land Registry Office in the City of Vancouver, British Columbia, under Number B54243 AGAINST ALL AND SINGULAR that certain parcel or tract of land and premises being in the Resort Municipality of Whistler, in the Province of British Columbia, known and described, inter alia, as:

DISTRICT LOT 3556, except part
included in Plan 14962,
GROUP ONE,
N.W.D.

In consideration of the sum of ONE DOLLAR ($1.00) (receipt of which is hereby acknowledged), hereby agrees and consents to the registration of a Land Use Contract made between the registered owner of the said lands, Pacific Logging Company Limited, and the holder of a right-to-purchase, Bay Shores Development Limited, and the Resort Municipality of Whistler, which shall have the force and effect of a Restrictive Covenant running with the land and against the aforementioned land, in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.

4186

DATED this 21st day of September , 1978.

BANK OF MONTREAL by its Attorneys in Fact:

ASSISTANT MANAGER CREDIT

MANAGER CREDIT

SIGNED, SEALED AND DELIVERED in the presence of:

MAYLENE CHOW
2680 ETON STREET
VANCOUVER, B.C.
UTILITY CLERK "B"

REGISTERED VAF80566 RCVD:1978-11-14 RQST:2011-09-14-15.07.37.257

80566

STATUTORY DECLARATION OF ATTORNEY

ROBERT C. CHRISTIANSON
We, ASSISTANT MANAGER CREDIT and M. BERT McPHEE
MANAGER CREDIT

of VANCOUVER, in the Province of British Columbia, do solemnly declare:-

1. THAT we are the attorneys for Bank of Montreal.

2. THAT we are the persons who subscribed the name of Bank of Montreal in the annexed instrument as the maker thereof.

3. THAT at the time of the execution of the said instrument the power of attorney had not been revoked by or on behalf of Bank of Montreal, and we have not received any notice or information of the bankruptcy or dissolution of Bank of Montreal.

4. THAT we know the contents of the said instrument and subscribed the name of the said Bank of Montreal thereto voluntarily as the free act and deed of the said Bank of Montreal.

AND we make this solemn declaration conscientiously believing it to be true, and know that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

SEVERALLY DECLARED before me)
at VANCOUVER)
in the Province of British)
Columbia, this 22nd day of)
SEPTEMBER 1978.)

A Commissioner for taking)
Affidavits for British Columbia)
DALE KERMODE
Barrister & Solicitor
16th Floor, First Bank Tower
595 Burrard Street
Vancouver, Canada V7X 1K9

41186

CAMPNEY & MURPHY

SCHEDULE A

71. RMB Zone - Residential Multiple Bayshores

Intent

(1) The intent of this zone is to permit the development of detached, duplex, townhouse and multiple residential dwellings.

Permitted Uses

(2) The following uses are permitted only at the locations specified in Schedule *x [Amending Bylaw Schedule B]*, and all other uses are prohibited:

(a) Detached dwellings

(b) Duplex dwellings

(c) Townhouses

(d) Auxiliary buildings and auxiliary uses

(e) Auxiliary residential dwelling unit provided it is contained within a detached dwelling.

Density

(3) In the RMB zone:

(a) the maximum number of detached dwellings is 69;

(b) the maximum number of townhouse dwellings is 95;

(c) the maximum number of duplex dwellings is 43;

(d) and the maximum gross floor area of any dwelling is set out in Schedule x.

(4) Despite subsection 3, if the actual gross floor area of a townhouse on any site, the construction of which was authorized by a building permit duly authorized by the Municipality exceeded the amount specified in Schedule *x*, such actual gross floor area shall be deemed to be the maximum permitted gross floor area for the site.

Height

(5) The maximum permitted height of buildings and structures is as set out in Schedule *x*.

Setbacks

(6) The minimum permitted setbacks for each lot into which the Lands will be subdivided or strata titled are as set out in Schedule *x*.

(7) Despite subsection 3, if the actual setbacks of a building on any site, the construction of

which was authorized by a building permit duly authorized by the Municipality is less than the distance specified in Schedule *x*, such setback distance shall be deemed to be the allowable distance for the site.

Off-Street Parking and Loading

(8) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw, notwithstanding, parking spaces required in respect of the use of a parcel within a bare land strata may be located on strata roads.

Other Regulations

(9) Notwithstanding subsection 3(3) of Part 5, the maximum permitted floor area for an auxiliary building is:

(a) 70 square metres on a parcel with a detached dwelling; and,

(b) 50 square metres on a parcel with a duplex dwelling.

(10) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 90 square metres and no less than 32.5 square metres.

(11) In no case shall the gross floor area of the auxiliary residential dwelling unit exceed 40 percent of the gross floor area on a parcel.

SCHEDULE X

LAND USE PLAN OF RMB ZONE WITH TABLE OF HEIGHTS, DENSITIES AND SETBACKS

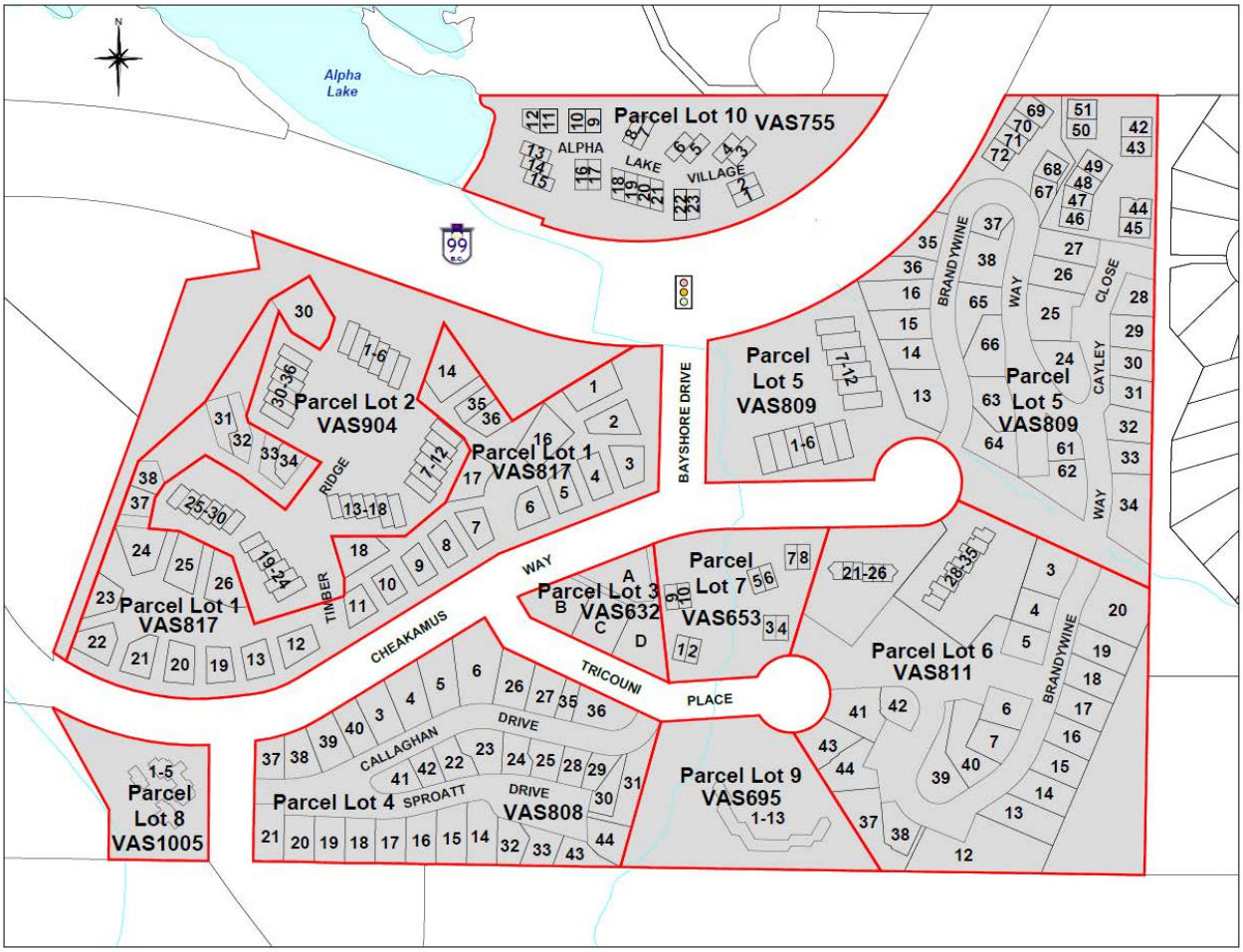


Table of Heights, Densities and Setbacks

Strata Lot	Land Use	Maximum GFA (sq. m)	Setback	Maximum Height
Parcel Lot 1 (Strata Plan VAS 817)				
SL 1 – 13 and 16 - 26	Detached Dwelling	232	0 metres to a strata lot line.	7.6 metres.
SL 14, 30	Duplex	372	0 metres to a strata lot line.	7.6 metres.
SL 31-38	One half duplex dwelling per strata lot	186	0 metres to a strata lot line.	7.6 metres.
Parcel Lot 2 (Strata Plan VAS 904)				
S.L. 1-6	Townhouses	183 per unit	0 metres to a strata lot line.	The maximum permitted height of a townhouse building is 10.7 metres.
SL -7-12	One half duplex dwelling per strata lot	186 per unit	0 metres to a strata lot line.	The maximum height of a duplex building is 7.6 metres.
SL 13-18	One half duplex dwelling per strata lot	186 per unit	0 metres to a strata lot line.	The maximum height of a duplex building is 7.6 metres.
SL 19-24	Townhouses	183 per unit	0 metres to a strata lot line.	The maximum permitted height of a townhouse building is 10.7 metres.

SL 25-30	One half duplex dwelling per strata lot	186 per unit	0 metres to a strata lot line.	The maximum height of a duplex building is 7.6 metres.
SL 31-36	One half duplex dwelling per strata lot	186 per unit	0 metres to a strata lot line.	The maximum height of a duplex building is 7.6 metres.
Parcel Lot 3 (Strata Plan VAS 632)				
Lots A - D	Detached dwelling	232 per detached dwelling	7.6 metres from the front or rear lot line and 3 metres from the side lot line.	7.6 metres.
Parcel Lot 4 (Strata Plan VAS 808)				
SL 3-6, 14-21	Detached Dwelling	232	1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than 30%, then the front property setback is 3 metres. 2. 3 metres from the side or rear lot lines.	7.6 metres.
SL 22-33, 35-44	One-half duplex dwelling per strata lot	186		7.6 metres.

Strata Lot	Land Use	Maximum GFA (sq. m)	Setback	Maximum Height
Parcel Lot 5 (Strata Plan VAS 809)				
SL 1-12	Townhouses	232	1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than	10.7 metres.
SL 13-16, 24-34	Detached dwelling	232		7.6 metres.
SL 35-38, 42-45, 50-51, 61-68	One-half duplex dwelling per strata lot	186		7.6 metres.
SL 46-49, 69-72	Townhouses	183		10.7 metres.

			30%, then the front property setback is 3 metres. 2. 3 metres from the side or rear lot lines.	
Parcel Lot 6 (Strata Plan VAS 811)				
SL 3-7, SL 12-20	Detached dwelling	232	1. If the average grade sloping upwards from the lot line of any strata lot towards the rear lot line thereof over a distance of a least 7.6 metres is 30% or less, the siting of any building or structure on that strata lot shall be such that no portion thereof is closer than 4.6 metres to the front lot line thereof. If under these circumstances the average grade sloping upwards is greater than 30%, then the front property setback is 3 metres. 2. 3 metres from the side or rear lot lines.	7.6 metres.
SL 37-44	One-half duplex dwelling per strata lot	186		7.6 metres.
SL 21-26, 28-35	Townhouses	183 per unit		10.7 metres.
Parcel Lot 7 (Strata Plan VAS 653)				
SL 1-10	One-half duplex dwelling per strata lot	186	7.6 metres from the front or rear lot line and 3 metres from a side lot line.	7.6 metres

Strata Lot	Land Use	Maximum GFA (sq. m)	Setback	Maximum Height
Parcel Lot 8 (VAS 1005)				
SL 1-5	Townhouses (5)	1746	7.6 metres from the front, rear or side lot line.	10.7 metres.
Parcel Lot 9 (Strata Plan VAS 695)				
SL 1-13	Townhouses (13)	0.4 Floor Site Ratio	7.6 metres from the front, rear or side lot lines.	10.7 metres.
Parcel Lot 10 (Strata Plan VAS 755)				
SL 1-23	Duplex, Townhouses	0.4 floor site ratio	7.6 metres from the front, rear or side lot lines.	7.6 metres for duplexes; 10. 7 metres for townhouses.

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: September 17, 2019 **REPORT:** 19-118

FROM: Resort Experience **FILE:** RZ1157

SUBJECT: RZ1157 – 5298 ALTA LAKE ROAD REZONING – MARKET/EMPLOYEE HOUSING

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize further review and processing of Rezoning Application RZ1157 (5298 Alta Lake Road); and

That Council authorize staff to schedule a public information meeting to obtain input on the proposed zoning changes; and further

That Council authorize staff to potentially prepare a zoning amendment bylaw for RZ1157 to create a new site specific zone for the lands at 5298 Alta Lake Road that would provide for a mix of employee restricted and market housing on the lands as described in this Report 19-118.

REFERENCES

Location: 5298 Alta Lake Road

Legal Description: Lot B (Reference Plan 2643) except part dedicated road on Plan BCP7865
District Lot 2246

Owners: Empire Club Development Corp.
Incorporation No. C1141513

Appendix “A” – Location Map

Appendix “B” - Application Materials for RZ1157

Appendix “C” – Analysis per Amended Private Sector Employee Housing (“PSEH”) Guidelines

Appendix “D” – Whistler Museum and Archives Society Historical Review

PURPOSE

This Report presents Rezoning Application RZ1157, an application that proposes to provide both employee restricted and market housing at 5298 Alta Lake Road. This Report seeks Council’s authorization to proceed with further review and processing of the application and schedule a public information meeting to receive public input. This Report further recommends that Council direct staff to prepare a zoning amendment bylaw for RZ1157 to bring forward for Council’s consideration.

DISCUSSION

Background

On April 24, 2018 Council endorsed Recommendation No. 6 of the Mayor's Taskforce on Resident Housing to allow for development of up to 500 bed units of employee restricted housing on private lands in the period 2018 – 2023. Council ratified Guidelines for Private Sector Employee Housing Initiatives on December 5, 2017. Council subsequently ratified amended Guidelines on March 26, 2019.

Nine applications were received, and reviewed by RMOW Staff. To date Council has endorsed the continuing review of five of these applications: RZ1144 (2077 Garibaldi Way), RZ1146 (7104 Nancy Green Drive), RZ1147 (1315 Cloudburst Drive), RZ1152 (2028 Rob Boyd Way), and RZ1153 (8975 Highway 99). All are currently in varying stages of the review process.

5298 Alta Lake Road – A Brief History

The subject parcel is located on the west side of Nita Lake as shown on Appendix "A". The site is a treed 3.96 hectare east facing parcel accessed from Nita Lake Drive via Alta Lake Road. It is bounded by the BC Rail line and Nita Lake to the east, the Tyrol Lodge site to the north, Nita Lake Estates to the south, and the BC Hydro Right of Way to the west. The parcel slopes downhill from the Alta Lake Road elevation to Nita Lake.

This property has a long and varied local history, beginning early in the 20th century. The parent parcel, District Lot 2246 was created in 1926 of the Pacific Great Eastern Railway. In 1937, Alf and Bessie Gebhart purchased the subject lands ("Lot B") and constructed the cabin that still stands on the site today. The Gebharts were owners of a local saw mill and lumber camp and remained in the cabin until their business interests closed and they moved from the Valley. Their son Howard and his wife Betty then took up residence on the property while he worked for the railway.

The property changed hands in the mid-1960s when it was sold to Charles Hillman. For many years the cabin was rented to local residents, when it was known as the (in)famous "Toad Hall". The Director of the Whistler Museum and Archives and RMOW Staff consider that the dual narratives of early industry intersecting with early local ski counter culture make this property compelling from a historical perspective.

Site Application History

RMOW records indicate that this property has been subject to multiple rezoning applications over the years as indicated in the table below:

Application	Timeframe	Comment
RA248	1996	Unsuccessful application for employee housing
RA309	1999 - 2002	Successful rezoning application to permit a boutique hotel with associated cabins and a cultural artist in residence program. RA309 Successfully: 1. Rezoned the lands to the current TA17 (Tourist Accommodation Seventeen) zoning, and 2. Created the current Development Permit Area #20 ("London Mountain Lodge") in Whistler's current *Official Community Plan*.

RA432 & DPA871	2004	Unsuccessful application to reallocate densities within the existing TA17 Zone. Applications appear to have had some support from RMOW staff, however it was not followed through by the proponent.
RZ1150	2018	Proposal for a mix of employee restricted and market TA townhomes. Not consistent with Council's original PSEH Guidelines requiring 100% employee housing. Withdrawn.

As shown in the table, bylaws creating the TA17 Zone and associated Development Permit Area 20 were approved by way of Rezoning Application RA309 in 2002. The concept at that time was for an old world boutique hotel near the shore and rail line along with associated cabins, containing a mix of tourist accommodation and employee restricted housing, spread throughout the site. A development covenant was registered on the site ensuring that no clearing took place without a thorough environmental review.

Consideration around required emergency vehicle access routes on sloping terrain and today's FireSmart requirements suggest the RA309 development program would have significant site disturbance impacts beyond those originally foreseen resulting in a significant loss of forest cover.

Current Rezoning Application RZ1157

The current owners, Empire Development Group, have come forward with a new concept in response to Council's Revised Private Sector Employee Housing Initiative Guidelines. This concept proposes to delete the existing Hotel use, group the tourist accommodation and employee housing uses into townhomes with a tighter development footprint, thereby allowing for tree protection and site screening.

The RZ1157 proposal is attached to this Report as Appendix "B" and can be summarized as follows:

- Conversion of permitted employee housing cabin use to15 new three bedroom employee restricted townhomes (with an increase of 800 m^2).
- Conversion of permitted tourist accommodation use (cabins and hotel) to 22 new three bedroom market tourist accommodation townhomes (with an increase of 900 m^2).
- Parkland dedication,
- Restoration of the existing historic cabin and relocation to the park to create a historic landmark on the anticipated west side cultural connector.
- Extension of the Valley Trail from Nita Lake Estates to the north parcel boundary of 5298 Alta Lake Road.
- Dedication of a future employee housing parcel adjacent to the existing Nita Lake Resident Housing.
- Dedication of riparian/ tree protection area along the lake foreshore and rail line ensuring vegetation management on municipal lands.
- Parking will conform to the requirements of Zoning and Parking Bylaw 303.
- Staff recommend 7.6 m setbacks from all parcel boundaries.

A comparison to the existing TA17 Zone and the Proposal under RZ1157 is shown in the table below:

	Existing TA17 Zone	RZ1157 - May 2019	Comment
Tourist Accommodation	**2,100 m2** (Hotel) (7 rooms utilizing 500 m2) **1,400 m2** (contained in 25 cabins) _____ **Total GFA: 3500 m2**	Hotel use deleted. 22 3-B/R (plus garage) TA townhomes @ 200 m2 Contained in 5 buildings (4 four-plexes & 1 six-plex) _____ **Total GFA: 4400 m2**	**Increase of 900 m2**
Employee Housing	**800 m2** (contained in 7 cabins)	15 units (plus garage) @ 106 m2 Contained in 3 five-plexes. (sale/ rental mix to be determined) _____ **Total GFA: 1590 m2**	**Increase of 800 m2**
Max GFA for arts facility	**250 m2**	Hillman Cabin to be included in park dedication and removed from the development site.	
Ancillary uses		**40 m2**	**Allows for amenity building**
Total max GFA For parcel	**4,600 m2** (Includes Hillman cabin estimated at 200 m2)	**6,030 m2** (Does not include Hillman Cabin estimated at 200 m2)	**Increase of 1430 m2**
Floor Space Ratio	**FSR: 0.12**	**FSR: 0.15 before dedications** **FSR: 0.32 after dedications**	
Proposed Amenities		**1. Park dedication:** - Hillman cabin site and riparian areas. - 15, 074 m2 (1.5 Ha) **2. Housing site:** - Propose to dedicate area at site entrance to WHA for future housing. - 4885 m2 (0.49 Ha)	**Proposal offers to dedicate nearly 2 Ha of this 3.96 Ha site as noted.**

Preliminary Due Diligence

A number of evaluations have been undertaken to understand the viability of particular aspects of the project and inform the decision making process including:

- **Historical Review:** The Whistler Museum and Archives Society have provided a Historical Review of the property attached to this Report as Appendix "D".
- **FireSmart Assessment:** The subject property is undergoing a FireSmart Assessment undertaken by RMOW staff. This assessment would be coordinated with proposed tree preservation on the site for a complete understanding of on-site conditions.
- **Structural Assessment:** The applicant team has provided a Structural Assessment of the existing Hillman cabin confirming that it can be moved to the proposed park location and noting that further in-depth review would be required to bring the building up to current standards. RMOW Building Department staff have advised that the Building Code provides some relaxations for application to existing buildings. Staff have further recommended that any future use of the building should likely be limited to the main floor only and that sprinklers should be considered.
- **Tree Preservation:** Tree preservation areas have been identified as shown in Appendix "B". The intent of these areas is to provide screening of the development project and the existing uphill power lines. The applicant team has provided information confirming the height of the existing tree canopy along the lower portion of the site. This height has been translated to the site sections (please see Appendix "B") and indicates that considerable screening of the townhomes is viable. As noted, tree preservation will need to be coordinated with the FireSmart Assesment. A Tree Survey and assessment identifying viable trees on plan and confirming the proposed tree preservation polygons on site is being undertaken.
- **Environmental Review:** An environmental review in support of this application has been received. This review confirms project viability and recommends mitigation strategies.
- **Traffic Study:** A Traffic Study confirming that the surrounding road system can carry the additional load is pending.
- **Preliminary Servicing Report:** A preliminary servicing report has been received confirming project viability.
-

Housing Considerations

The RZ1157 proposal includes fifteen three bedroom employee restricted units contained in three five-plex buildings. Considerations include:

- Employee housing would be secured by a housing agreement placed on title restricting employee use to WHA eligibility (i.e.: Employees must work full time for a minimum average of 30 hours per week, be employed in Whistler with employment that justifies residing in Whistler). Proof of eligibility will be required.
- Currently the applicant has indicated a need for eight employee housing units for on-site staff. This requires further review to identify need and allocation of appropriate number of units.
- The proposed rents are $2.50 sq. ft. equating to a monthly rent of approximately $2,853 per month for a three-bedroom 1,141 sq. ft. unit or, a unit sales cost of $400 sq. ft. The ratio of sales to rent units has yet to be confirmed as well as the quantity of units to accommodate eligible site staff.

WHISTLER 2020 ANALYSIS

Please see Administrative Report No. 18-040 for an analysis of the Private Sector Employee Housing Initiative against Whistler 2020 strategies. Staff do not consider that Rezoning Application RZ1157 moves our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

Private Sector Employee Housing Guidelines

Please see Appendix "C" for an analysis comparing the RZ1157 proposal to Council's PSEH Guidelines.

Bed Unit Allocation

The TA17 Zone was created by way of Rezoning Application RA309. At that time, employee bed units were exempt from the bed unit inventory. The RA309 proposal was originally for 25 Tourist Accommodation cabins at 55m^2 (two bed units each for a total of 50 bed units) and a hotel facility consisting of seven guest rooms (two bed units each for a total of 14 bed units). The total allocation was intended to be 32 TA units utilizing 64 bed units. This is reflected in the development covenant registered on title as BT215121 (discussed in greater detail below). Late in the rezoning process, the RA309 applicant team requested to change this development scheme to allow for a mix of cabin sizes; however, they agreed to a continued limit of 64 bed units as reflected in BT215121.

The RZ1157 applicant team has correctly noted that, due to the language in Whistler's current Official Community Plan, which considers units of 55 m^2 to be valued at either 2 or 3 bed units (and disregarding the BT215121 agreement), the maximum bed unit allocation generated under the TA17 zoning can be calculated as 96 market bed units.

The proposal under RZ1157 represents 88 market bed units (BU's) and 60 employee bed units (previously not counted) for a total of 148 BU's.

Current Official Community Plan (OCP) - Bylaw No 1021, 1993

Whistler's existing OCP was amended to include the Subject Lands by way of Official Community Plan Amendment Bylaw (London Mountain Lodge) No. 1498, 2000 as shown.

Schedule	Designation
B-2	Development Area
C	Commercial Accommodation
D-2	Secondary Commercial Area
E-2	Community Facilities & Schools – Proposed Facilities
F-2	Shows Valley Trail extension to site
H-2	Municipal Service Areas – Sewer and Water
P	Development Permit Area 18
Q	Designates Subject Lands for: 1. Form and character of development 2. Protection of the natural environment 3. Protection of development from hazardous conditions

Staff consider that the RZ1157 proposal is consistent with the current OCP and does not require an amendment to proceed. Conformance to Schedule Q - Development Permit Guidelines - will be assured through the Statutory Development Permit Process.

Pending Official Community Plan - Bylaw No 2199, 2018

Schedule	Designation
A -	**Shown as** Visitor Accommodation (provides visitor accommodation outside of the Core Commercial areas and may include limited auxiliary commercial uses and employee housing) in Whistler Land Use Map.
B	Not designated as First Nations Lands.
C	Not designated as community forest or provincial park.
E-1	Shows desired Valley Trail connection in OCP Transportation Cycling Network plan.
E-2	Shown as Shared Multi Use Valley trail Proposed in Recreation Trails Plan.
E-3	Shown as Shared Multi Use Valley trail Proposed in Transportation Network Plan.
F	Shown as Proposed Valley Trail in Existing Municipal Parks Plan.
H	Shown as Municipal Water Systems Service Area.
I	Shown in Sewer System Service Area
J	Shown as a Development Permit Area for Protection of Riparian Eco Systems
O	Shown as a Development Permit Area for Commercial Development
P	Shown as Multi-family Residential Development Permit Area
S	Shown as Moderate Risk Wildfire Protection Development Permit Area

Staff consider that the RZ1157 proposal is consistent with Whistler's pending OCP and does not require and does not require an amendment to proceed.

Covenant

In 2002, Depner Developments and the Resort Municipality signed a covenant restricting development on the lands and prohibiting any works until a series of commitments as fulfilled. This covenant is registered on title as BT215121. The covenant requires:

1. Submission of plans for a bus shelter and pullout to RMOW standards.
2. Submission of plans and specifications for trail construction.
3. Plans and specifications for any off-site infrastructure necessary to support the development concept.
4. Receipt of securities for these works.
5. Receipt of a heritage report for the cabin and barn.
6. Environmental monitoring.
7. Use of sprinklers.
8. Execution of a future covenant tying the site to the RA309 concept and limiting development to 64 bed units.

This agreement will be revisited and revised as part of the RZ1157 process, as current requirements and priorities will need to be considered and incorporated.

BUDGET CONSIDERATIONS

All costs associated with staff time for the rezoning application, public meetings, notices, and legal fees will be paid by the applicant. Fees will be required to be paid in full as a condition of adoption of the proposed zoning amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATIONSUMMARY

The required rezoning application sign is posted on the property. Correspondence received from the public will become part of the rezoning application file for Council consideration. Staff have recommended that all PSEH proposals have a public information meeting in advance of bringing forward a zoning amendment bylaw for consideration of first and second readings by Council. Any proposed zoning amendment bylaw would be subject to a public hearing adhering to statutory public notice requirements, prior to Council consideration of third reading of the bylaw.

Correspondence received from members of the public will be made available in the September 17th Council package.

SUMMARY

Rezoning Application RZ1157 – 5298 Alta Lake Road was received in response to Council's Private Sector Employee Housing Initiative.

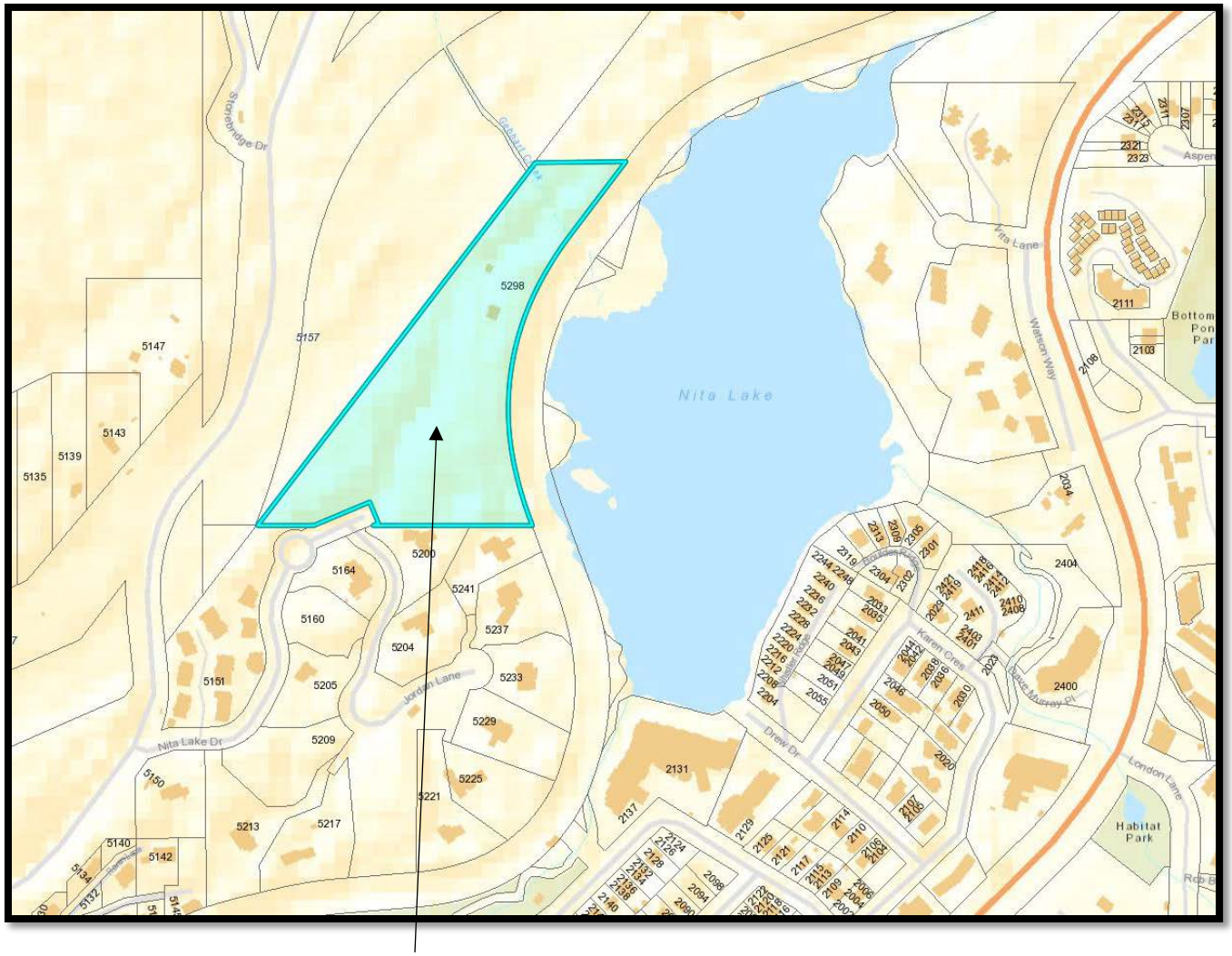
This Report provides Council with an overview of RZ1157 and requests Council's authorization for further review of this development proposal, scheduling of a public information meeting and preparation of a draft zoning amendment bylaw to be brought forward for Council's consideration at a future date.

Respectfully submitted,

Roman Licko
ACTING SENIOR DEVELOPMENT PLANNER

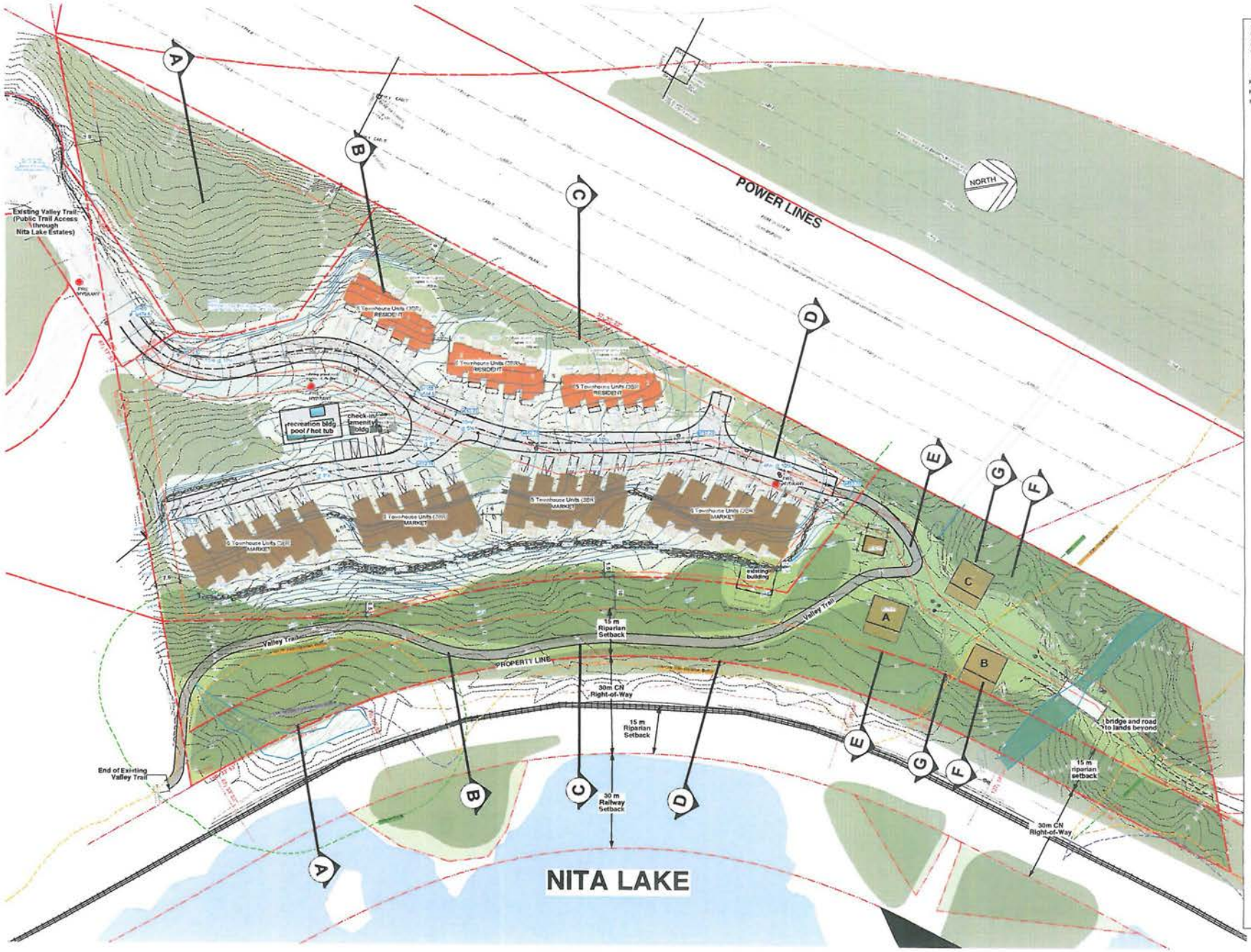
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix “A” – RZ1157 – Location Plan



Subject Lands – 5298 Alta Lake Road

Appendix B



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RMOW EMPLOYEE HOUSING REVIEW	MAY 2018
RMOW EMPLOYEE HOUSING REVIEW	MAY 2019
RMOW EMPLOYEE HOUSING REVIEW	July 2019

review 19/07/24

No:	Revision:	Date:
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Title: OVERALL SITE PLAN

Project: **Hillman Lodge** Whistler, BC

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Drawn By:	Scale:
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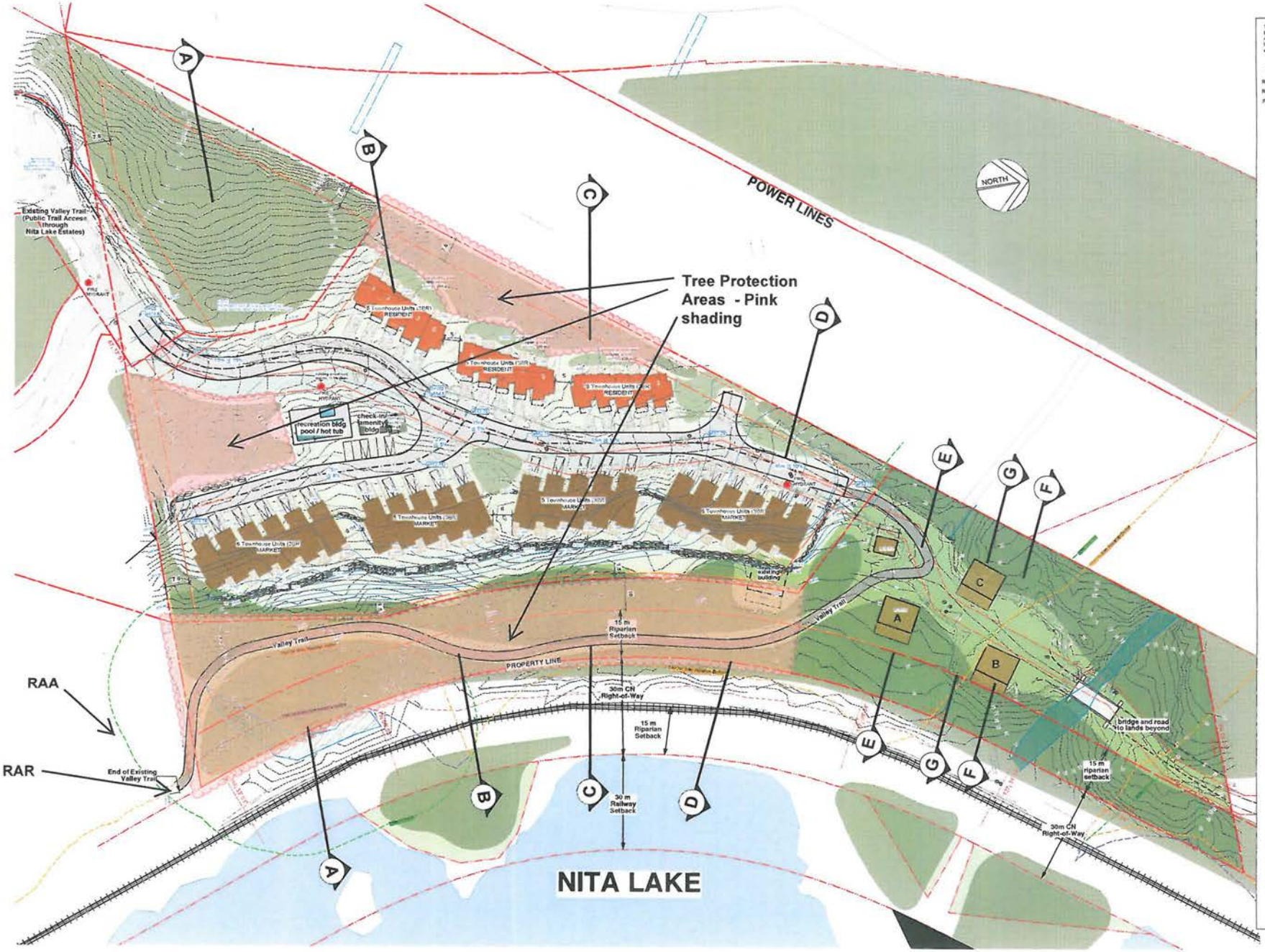
Project No:	Sheet No:
1404	A-1.0

A-1.0 OVERALL SITE PLAN



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RMOW EMPLOYEE HOUSING REVIEW	MAY 01/18
RMOW EMPLOYEE HOUSING REVIEW	July 5/18

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Title: OVERALL SITE PLAN

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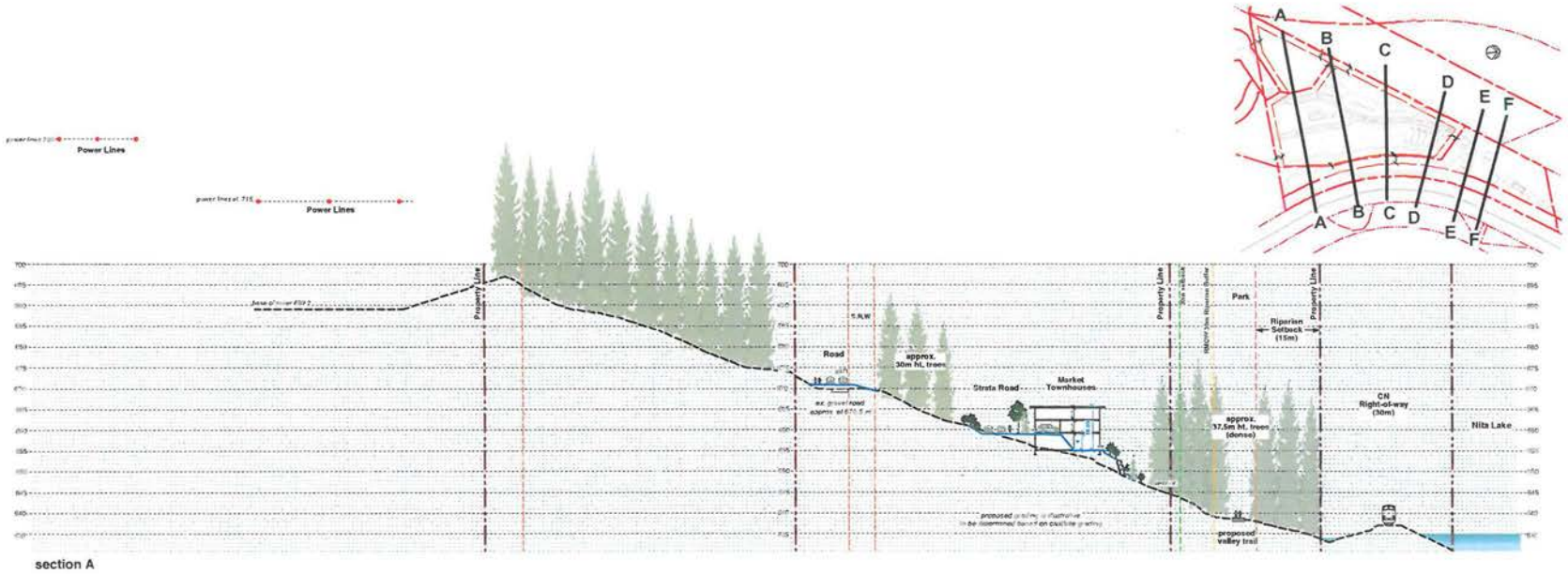
A-1.0 OVERALL SITE PLAN



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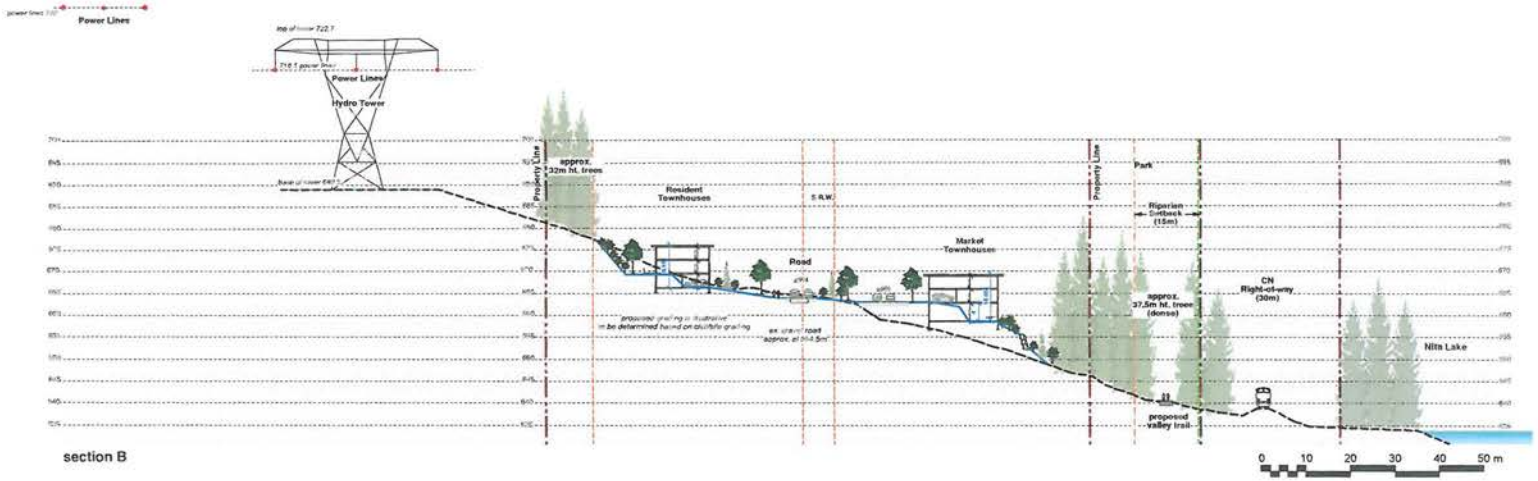

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Title: Site Sections

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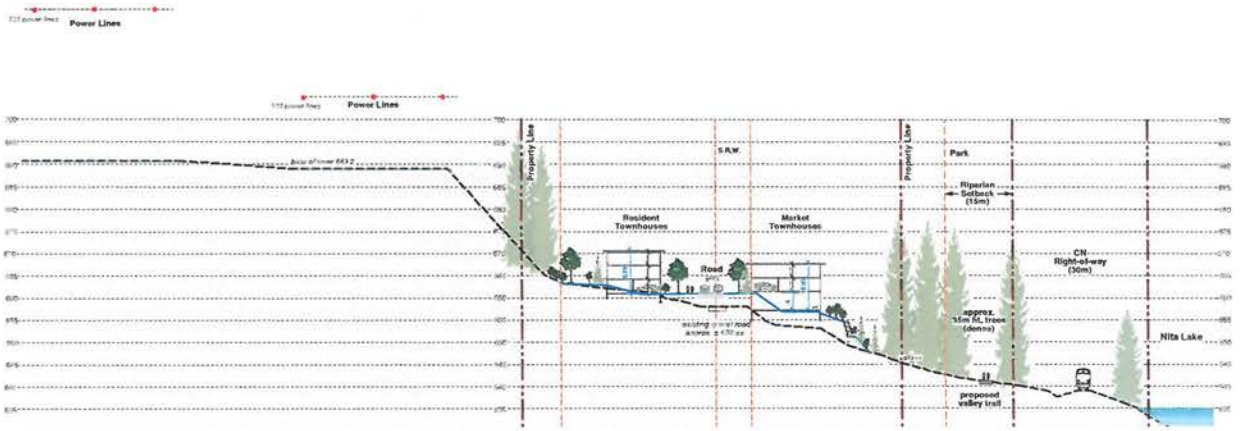
A-1.1 Site Sections



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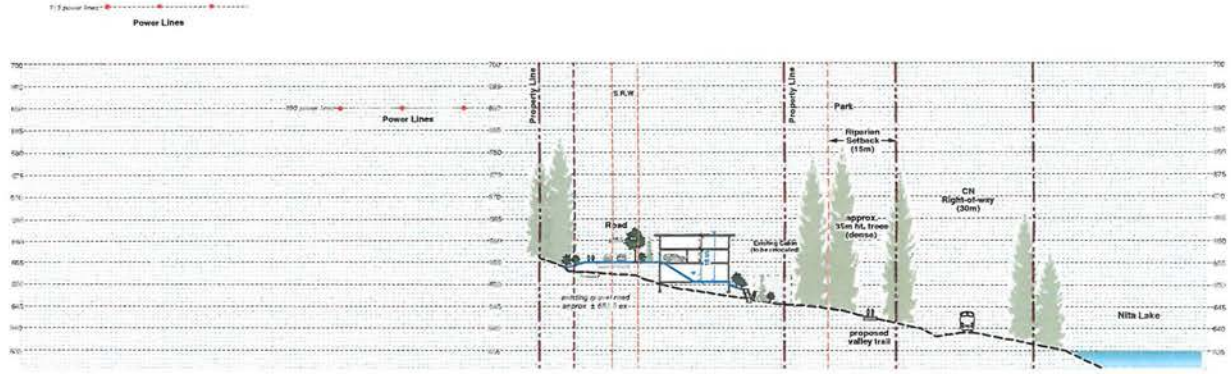

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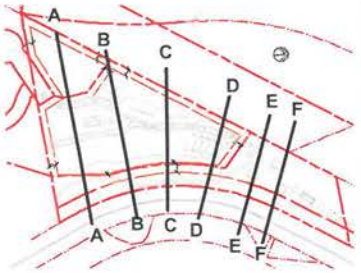

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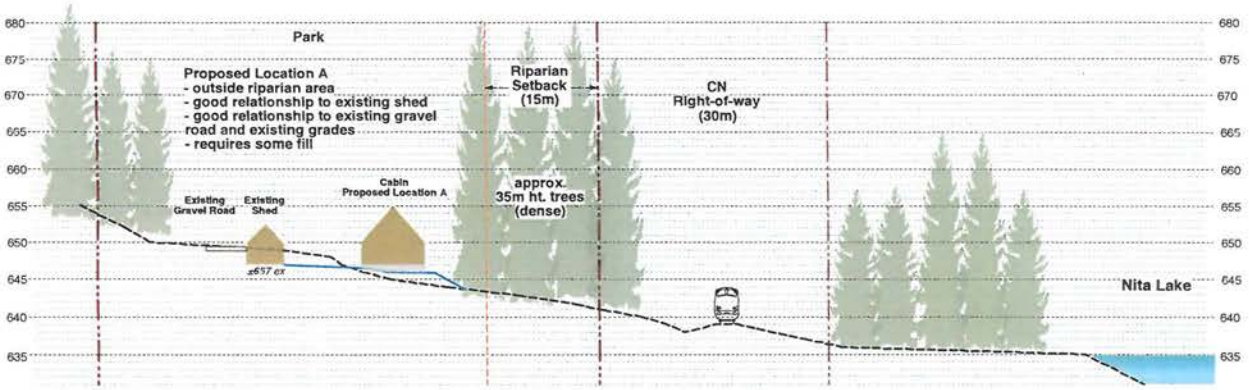
A-1.2 Site Sections



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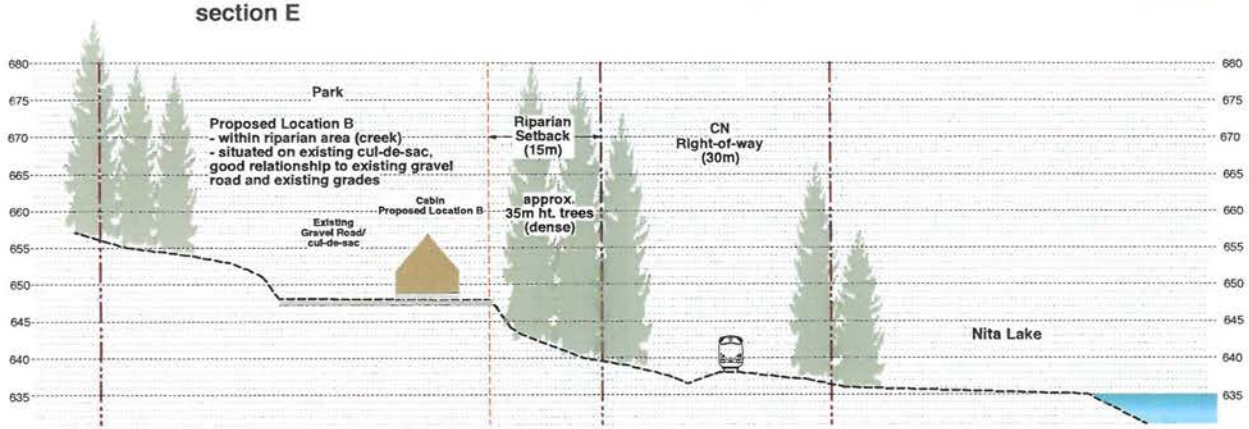

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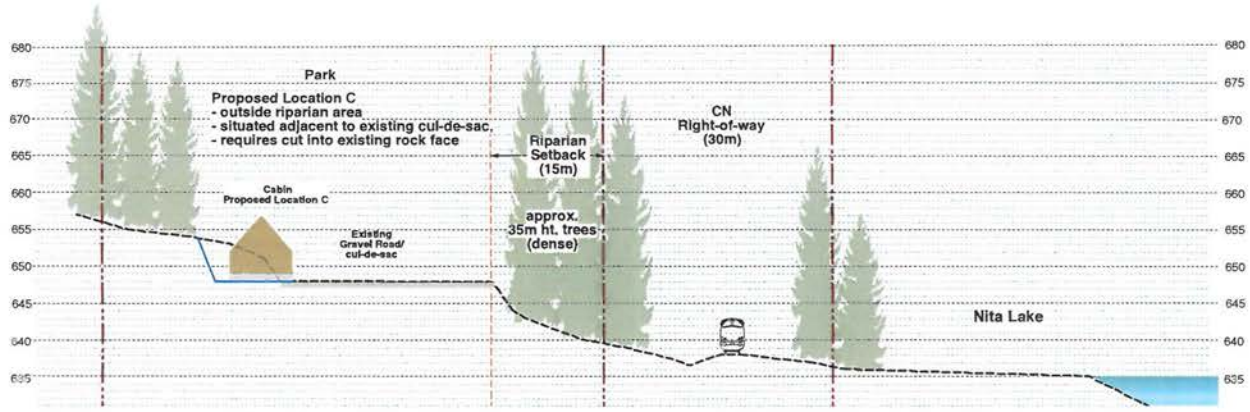

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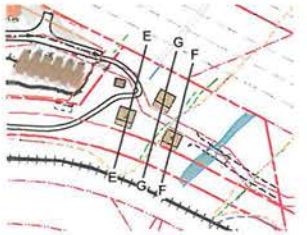

0 10 20 30 40 50 m

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Title: Site Sections - Proposed Cabin Locations

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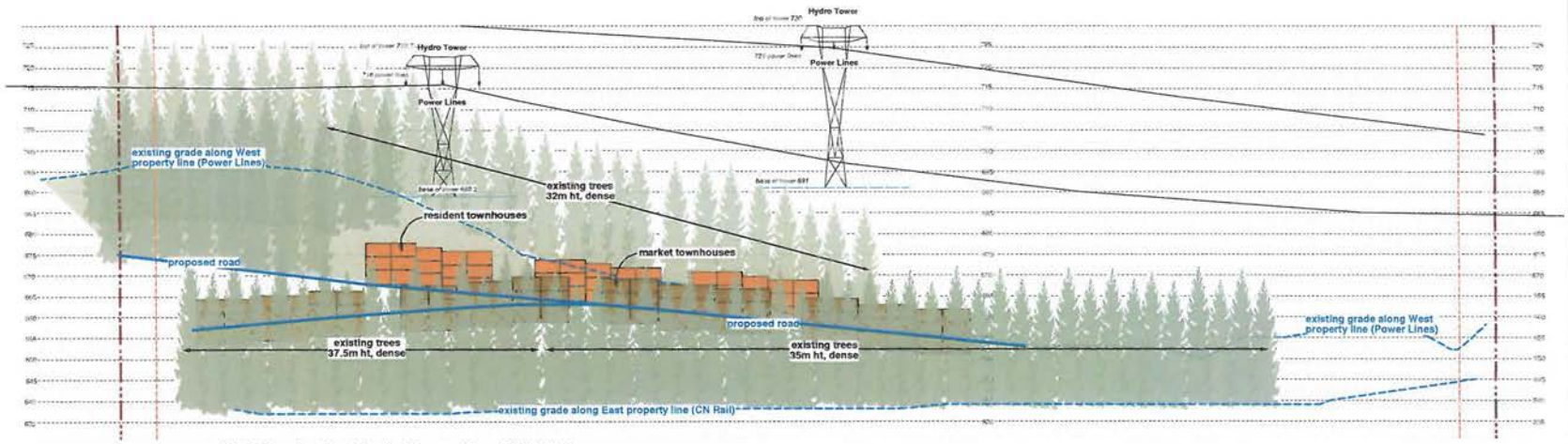
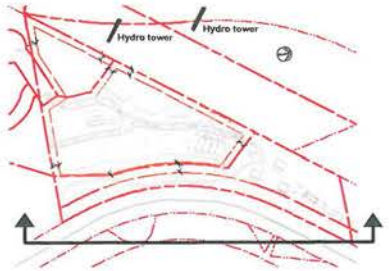
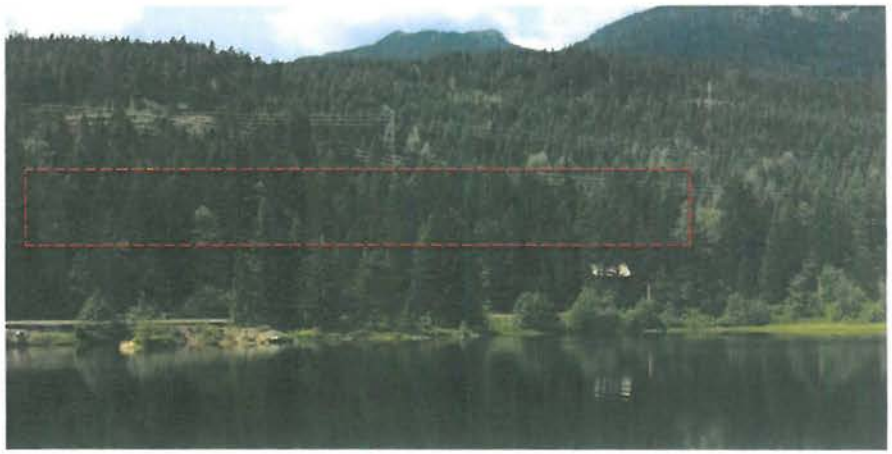


illustrative elevation (view looking west from Nita Lake)

0 10 20 30 40 50 m





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Title
Illustrative Elevation - view looking West

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RMOW EMPLOYEE HOUSING REVIEW MAY 20/18

review 19/09/11

No: Revision: Date:

NORTH

Title
Development Footprint Comparison

Project
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Whistler, BC

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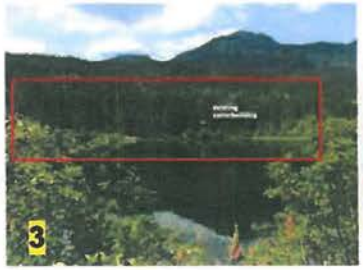
Project No:	Sheet No:
1404	A-1.5

A-1.5 Development Footprint Comparison

view from the valley trail at the south end of Nita Lake

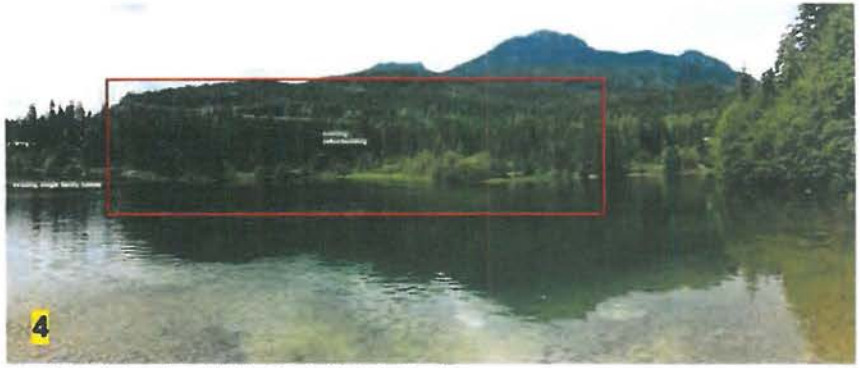
view from the dock at Nita Lake Lodge

valley trail along the south-east shoreline: views of the site are largely screened by dense shrubs

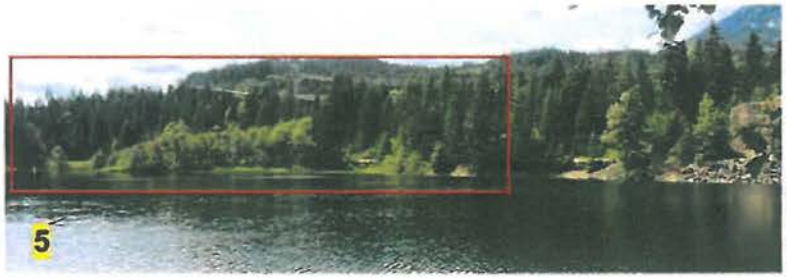


valley trail along the south-east shoreline: occaisional views of the site where there are gaps in the shoreline vegetation

valley trail at Whistler Creek: views of the site are screened by dense trees and shrubs



view of the site from the park/fishing beach at Whistler Creek



views from the valley trail at the north-east end of the lake are screened by mature coniferous trees and shrubs

views of the project site are from informal pathways that have been created to access the lake

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REZONING RESUBMISSION JULY 31/18

No. | Revision | Date

Title: VIEWS OF THE PROJECT SITE FROM THE VALLEY TRAIL/PUBLIC PARKS

Project: **Hillman Lodge PHASE 1**

Whistler, BC

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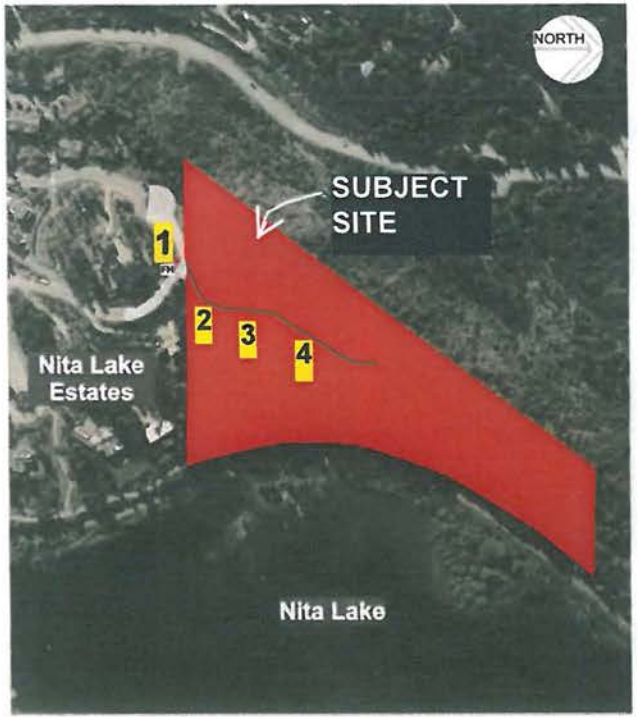
V-0.1 VIEW ANALYSIS



view into the site at Jordan Lane

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RESUBMISSION TO RMOW | JULY 30/18

No. | Revision | Date

Title: VIEWS OF THE PROJECT SITE FROM JORDAN LANE/NITA LAKE ESTATES

Project: **Hillman Lodge PHASE 1**

Whistler, BC

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V-0.2 VIEW ANALYSIS

Appendix "C" - RZ1157 - PSEH Evaluation Criteria

Employee Housing Requirements - Occupancy and Rent Restrictions	
1. Projects shall optimize the amount of employee housing within the proposed development and may include limited amounts of new unrestricted market accommodation to support project viability, design quality and employee housing livability and affordability objectives. All employee housing units will be subject to occupancy, price and rent restrictions secured through a Housing Agreement Bylaw and Housing Covenant registered on title in favour of the Resort Municipality of Whistler.	Complies
2. Projects may include either or both rental units or owner-occupied units taking into consideration the municipality's housing needs and priorities and the locational characteristics of the proposed development.	Complies The rental accommodation component will be managed as a single entity.
3. Eligibility for employee housing is restricted to Whistler Employees as defined by the Whistler Housing Authority.	In Negotiation Proponent wishes to maintain control of some units for project staffing
4. Projects shall seek to achieve housing affordability objectives, with an allowance for reasonable returns on investment. Projects that are easily serviced and require minimal site disturbance, alteration and preparation are expected to have lower capital costs and are best-suited for further consideration. High cost projects that do not meet affordability objectives will not be supported.	Complies
5. For a project to be considered, proposed employee unit sales prices and rents must be less than for comparable unrestricted market housing. The project proponent will be required to submit a confidential project pro forma that identifies the proposed unit mix, sales prices or rents per unit, land cost, capital costs, revenues, operating costs, financing costs, equity contributions, cash flow projections and return on equity for review. Proposed sales prices and monthly rents will be evaluated relative to the proposed unit mix and median incomes of targeted employee occupants.	Proposed rental rates are indicated at $2.50 per sq. ft. Well below market rates.
6. Initial sales prices and maximum monthly rents will be established prior to project approval and secured through a Housing Agreement Bylaw and Housing Covenant. Sales prices and rents will be permitted to increase on an annual basis commencing after the first year of occupancy by up to the maximum allowable percentage rent increase published for	Proposed sale rates are indicated at $400 per sq. ft. Sales and rentals would be capped per

each calendar year on the Province of BC's website for residential tenancies (BC Residential Tenancy Office).	Council's PSEH Guidelines.
7. For rental properties, rental agreements, rent rolls, and unit occupancy must be submitted by the project owner/agent to the RMOW/WHA on an annual basis so that employee occupancy, rent restrictions and rates are verified. Failure to submit this documentation on an annual basis will result in enforceable penalty.	Complies
8. Proposed housing types, unit mixes and sizes should meet identified housing needs in consultation with the RMOW/WHA.	Complies
Community Planning Considerations	
9. Proposed developments shall be located within an area designated for development of residential accommodation.	Complies
10. The community supports an increase in Whistler's development capacity for additional employee housing, which is considered to provide clear and substantial benefits to the community and resort. A target of 500 bed units of employee housing has been established for proposed private sector employee housing developments over the next five years (2018-2023).	Complies
11. Sites located within or adjacent to existing neighbourhoods and developed areas are preferred.	Complies
12. Proposed densities, scale of development and form of housing should be appropriate for the site context. Impacts on scenic views, and views and solar access for adjacent properties should be minimized.	Complies
13. Proposed developments shall be within a comfortable walking distance to a transit stop, and in close proximity to the valley trail, parks and community facilities, convenience goods and services and places of work.	Complies. Project is approximately ten minutes' walk from Whistler Creek
14. Proposed developments must be capable of being served by Municipal water, sewer and fire protection services, and must be accessible via the local road system. Sites that are located in close proximity to, and are easily served by existing infrastructure and services, are preferred.	Will Comply Preliminary servicing report received.
15. Previously disturbed sites, and sites that require minimal alteration and disruption are supported. Extensive site grading and alteration of the natural landscape should be minimized.	Complies Site has been previously disturbed
16. An Initial Environmental Review must be conducted. The proposed development shall not have unacceptable negative impacts on any environmentally sensitive lands, and shall adhere to all development permit guidelines for protection of the natural environment and applicable provincial and federal regulations.	Complies IER received

17. Additional traffic volumes and patterns shall not exceed the service capacity of adjacent roadways.	Traffic study is pending
Development Standards	
18. Proposed developments shall achieve quality design, construction, finishing, and livability. Outdoor spaces and amenity areas should be integrated within site planning. Individual units should have access to outdoors through patios, balconies or common spaces, and should have adequate storage. Site landscaping shall be consistent with maintaining Whistler's natural mountain character and achieving FireSmart principles.	Staff will ensure compliance through the Rezoning and Development Permit processes.
19. Proposed developments must meet RMOW green building standards.	Staff will ensure compliance through the Rezoning and Development Permit processes.
20. Parking shall be provided on site and shall meet the requirements specified in Zoning and Parking Bylaw 303, 2015. Any proposed reduction in parking requirements must provide a detailed rationale that describes the unique circumstances or mitigation measures that would warrant consideration of the reduction.	Complies Parking will satisfy Municipal requirements.

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Heritage Summary of 5298 Alta Lake Road

Prepared by the Whistler Museum & Archives
August 2019

Location: Property is located on the west end of Nita Lake, adjacent to the railway track South of the Tyrol Lodge.

Timeline:

1931: Alf Gebhart arrived on Alta Lake by at least 1931, as he and his wife, as well as Myrtle Philip, Mrs. Neiland, Mrs. Law, Mr. & Mrs. Woods, and Mrs. Tapley looked into the possibility of building a school.

1920's - early 1930s: Jaswan Singh, a retired officer in the Indian Army, operated a mill at 21 Mile Creek (below Rainbow Falls) [SR&CH Chronological Research, Pg. 168].

1932: Alf Gebhart's son, Howard Gebhart, was one of the first students of the newly opened Alta Lake School House. [History of Alta Lake Road, Pg. 17.] *Might be 1933.

1936: Alf Gebhart purchases sawmill & lumber camp owned by Jaswan Singh at 21 Mile Creek, renames it Rainbow Lumber Company. [as told by Dick Fairhurst. SR&CH Chorological Research, Pg 75]. Ed DeBeck helped set up the mill and ran it for a season [Letter from Ed DeBeck to his sister, October 6, 1944].

Mid 1940s: Alf Gebhart purchases land from the Pacific Great Eastern Railway at the South end of Alta Lake and North end of Nita Lake (current site of house). [*Might be more information on purchase date at the Royal BC Archives in Victoria. Fonds PR-0391]

1942: Howard Gebhart joins the Royal Canadian Air Force [correspondence with Louise Betts-Smith, Pg 61]

1945: Alf Gebhart and his son, Howard, move the Rainbow Lumber Company Mill to the South end of Alta Lake by 1945 [as told by Dick Fairhurst. SR&CH Chorological Research, Pg 75].

Mid 1940s - 1950: Alf Gebhart builds the Bavarian-style home, which also includes a barn and chicken coop to live in with his wife. [interview with Charles Hillman, June 6, 2015]. *exact date of construction unknown

Late 1940's: Rainbow Lumber Company mill cut railroad ties for the Pacific Great Eastern Railway. This was the main output, and every day a couple of carloads of lumber went out by rail. [as told by Dick Fairhurst. SR&CH Chorological Research, Pg 75].

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1951: Rainbow Lumber Company Mill burns down and is rebuilt the following year in 1952. [as told by Dick Fairhurst. SR&CH Chorological Research, Pg 75].

1952: By at least 1952, Howard Gebhart had moved into his father's property with his wife, Elizabeth (Betty) Gebhart [Correspondence with Aletha (Stevens) McGilligan at the Whistler Museum, Oct 30, 2000].

1952-1956: According to the Alta Lake Community Club minutes book, Betty & Howard Gebhart were living in Whistler in 1952-54 (Betty, is listed as attending the meetings during this time). Alf Gebhart owned Rainbow Lumber and his mill was still present in 1956 according to meeting minutes. [Whistler Museum, Heather Gamache Fonds - WA_2016_156_01_01_001]

1960: Howard Gebhart paralyzes his legs after falling off a frosted log while shooting at ducks. He passes away in 1960. [as told by Dick Fairhurst. SR&CH Chorological Research Pg 77].

1962 : Tyrol Lodge bought ten acres from Alf Gebhart - five owned by the Sons of Norway and five owned by the Tyrol Ski Club (Stefan Ples was instrumental in this) [Written by Gay Cluer in an email to Florence Petersen, Aug. 23, 2005 - from Gay Cluer Fonds WA_2016_049_01_022_004]

Early 1960s: Charles Hillman, a teacher from Ontario, purchases the property from Alf Gebhart. Hillman rents the property to a man and his daughter in 1963-64 after they visit his Vancouver home wondering if he would rent it. Skiers got to know the man and moved in after him. [interview with Charles Hillman, June 6, 2015].

1967: Whistler Mountain employees Jim Burgess, Drew Tait, John Hetherington, and Mike Wozniacki move into the property. This is the first incarnation of Toad Hall. [Interview with John Hetherington January 13, 2013].

Late 1960s: Renters would often find random people sleeping on the living room floor. "They'd heard about this place, managed to find it, and figured they were entitled to stay there". [Interview with John Hetherington January 13, 2013]. To finally get possession of his own place, Charles, with the assistance of the police from Squamish, entered his Nita Lake home with a court order for the squatters to leave. The eviction seemed to be fairly amicable, however, as Charles even granted them an extension so they could have a big farewell party. [Interview with Charles Hillman, June 6, 2015].

Early 1970s: Toad Hall and its residents move to the North end of Green Lake at the site of the old Soo Valley Logging Company. Soo Valley Toad Hall is eventually torn down after residents are evicted. The infamous Toad Hall picture is taken there in 1973.

1970s – Charles Hillman uses the property as a secondary residence. He restores aspects of the original design.

Whistler Museum

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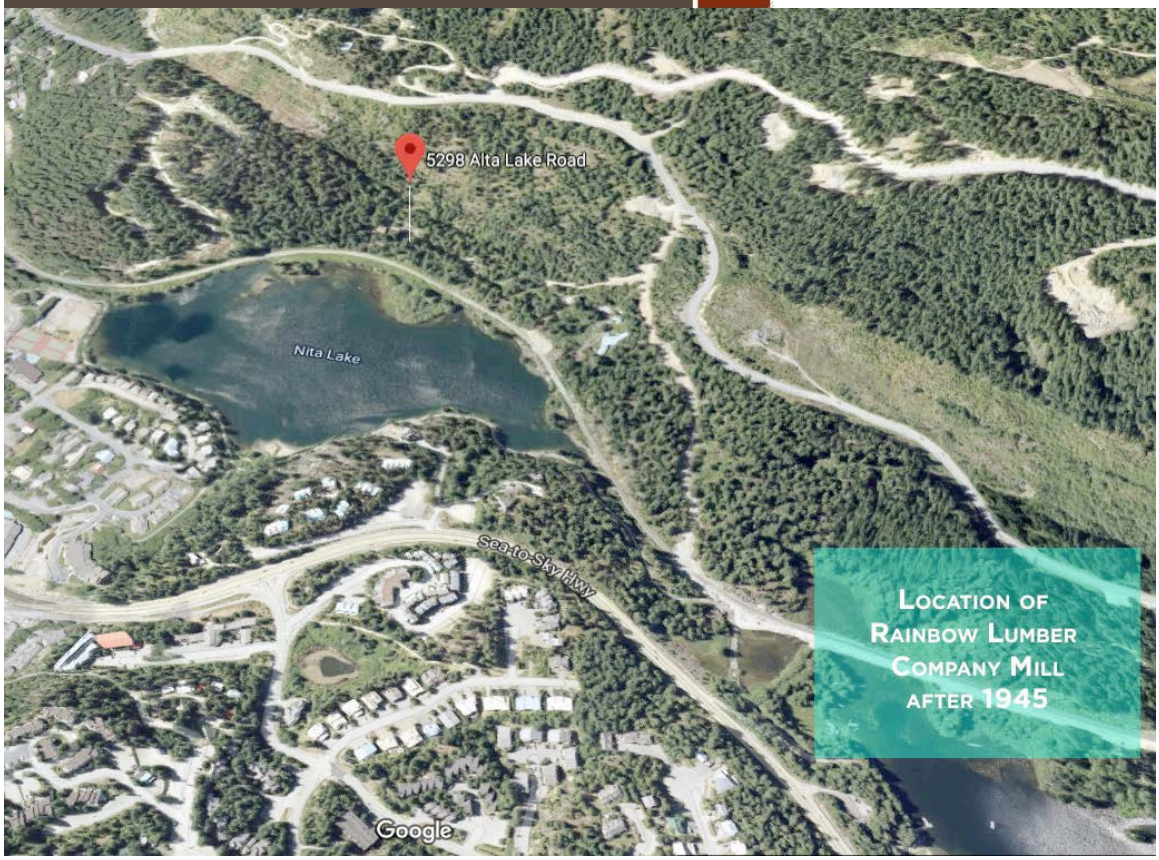

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Photos August 1, 2019.

Whistler **Museum**

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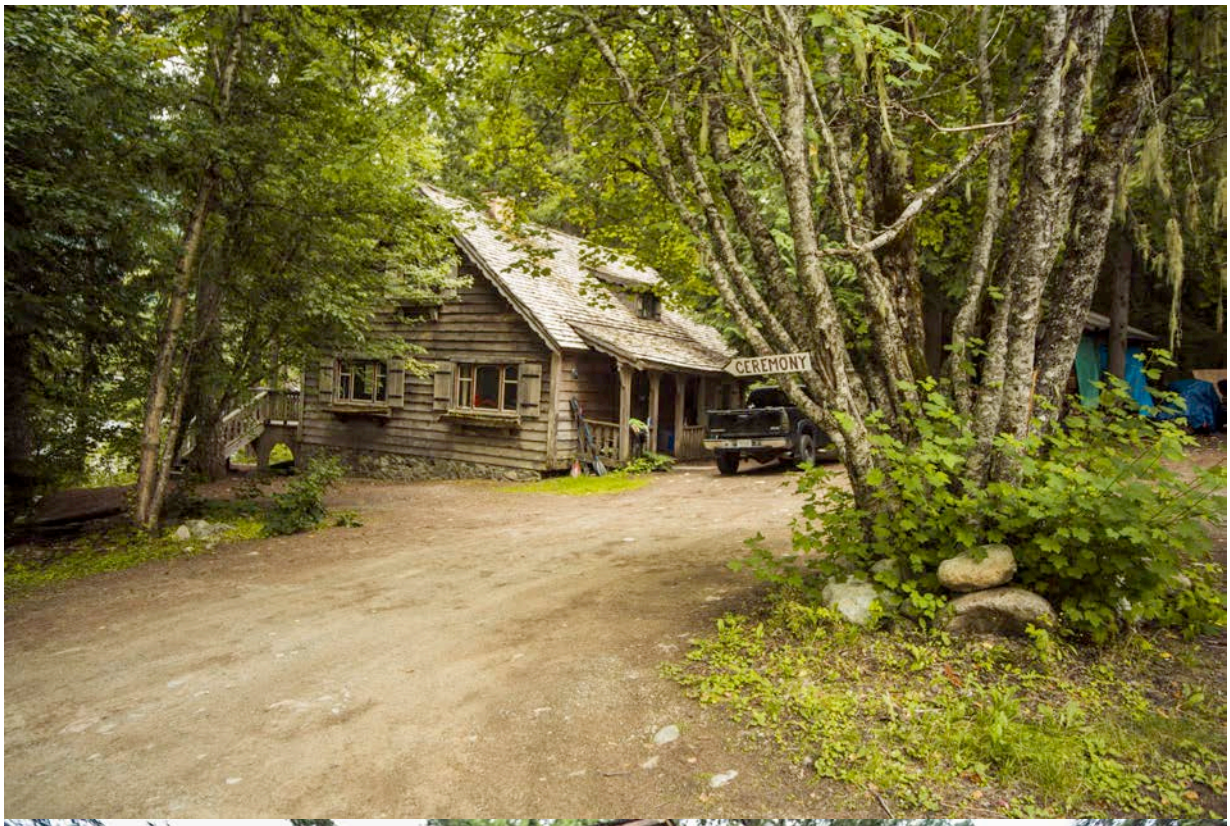
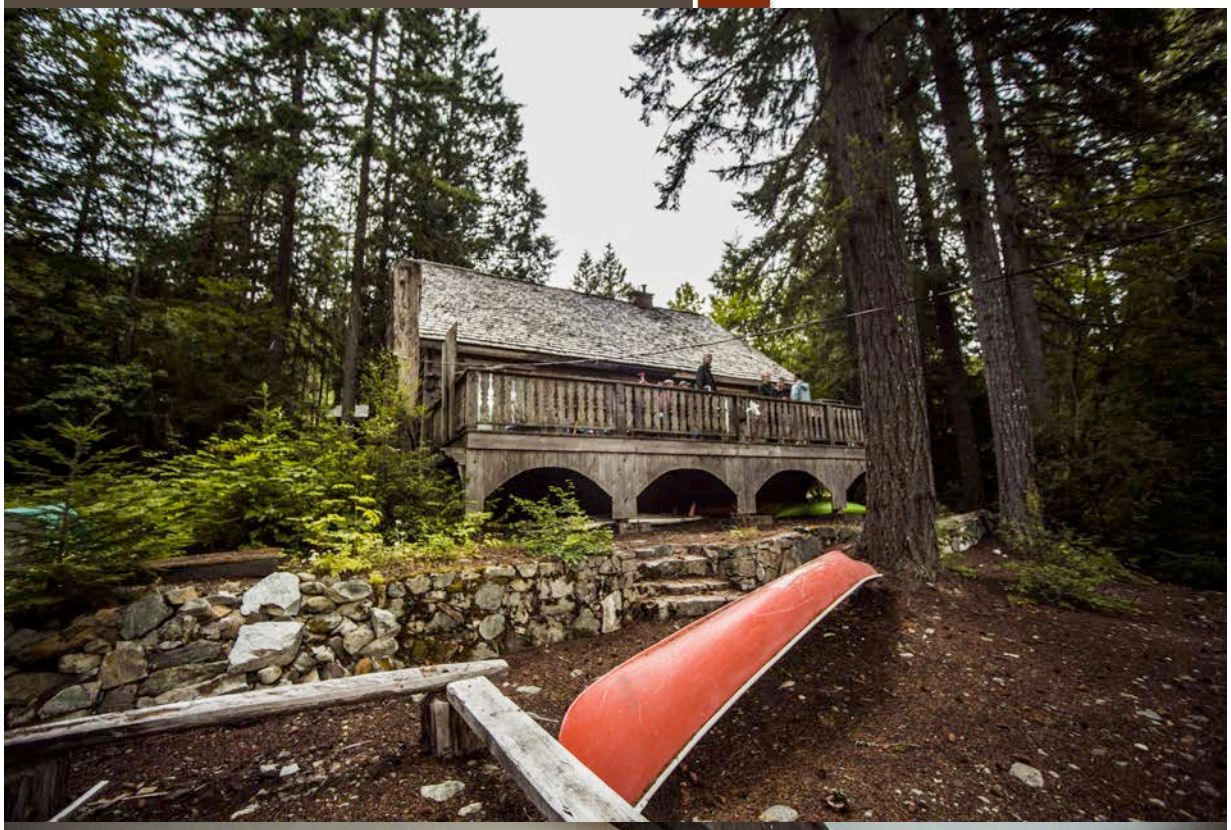


Whistler **Museum**

Whistler Museum and Archives Society
4333 Main St Whistler BC V8E 1B3
P: 604-932-2019 F: 604-932-2077
www.whistlermuseum.org info@whistlermuseum.org



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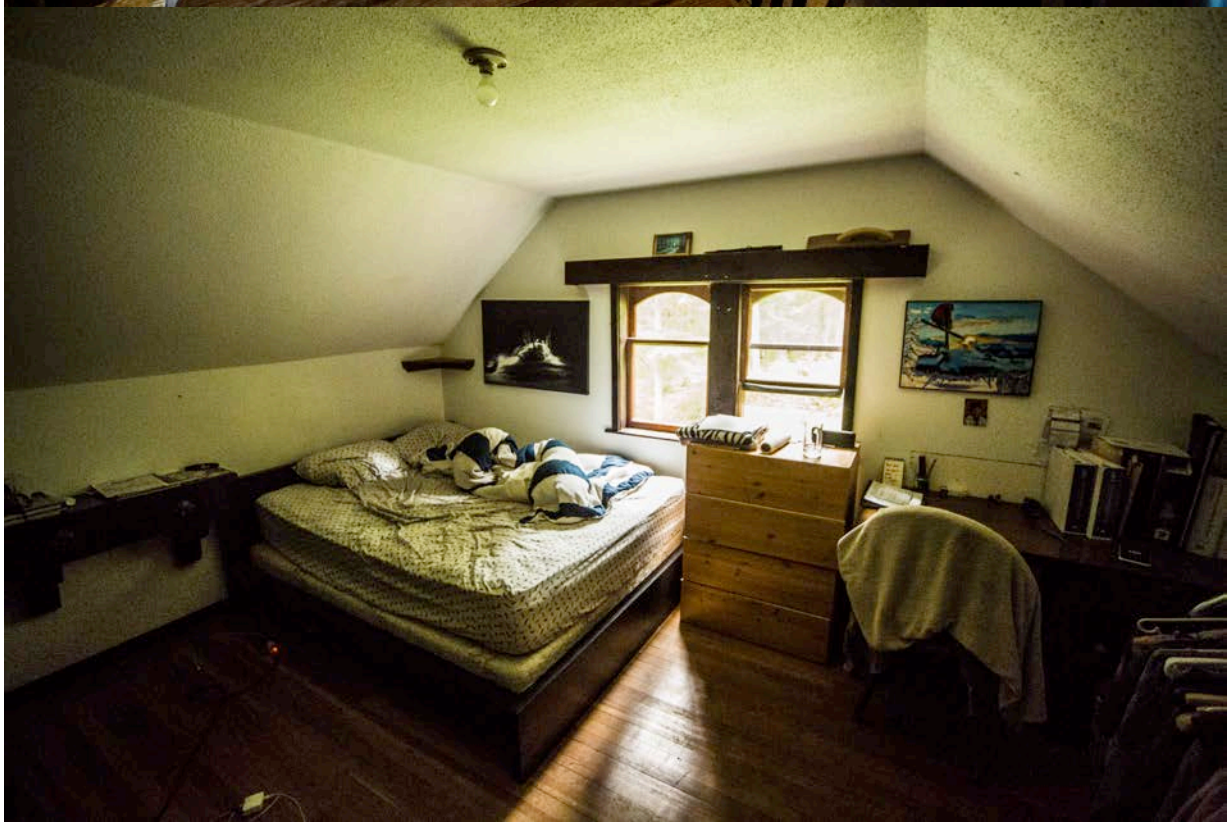

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Photos: 1969. Benjamin collection

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-119
FROM:	Resort Experience	**FILE:**	RZ1153
SUBJECT:	RZ1153 – 8975 HIGHWAY 99 – RAINBOW RIDGE UPDATE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATIONS

That Council authorize staff to request additional information from the applicant regarding the revised RZ1153 application for a market and employee ownership townhouse development at 8975 Highway 99, including an updated traffic study, conceptual building design, preliminary servicing brief, development pro forma, and estimated sales price per unit.

REFERENCES

Location: 8975 Highway 99

Legal Description: PLAN VAP17842 BLOCK 1 LOT B DISTRICT LOT 3861 NEW WESTMINSTER DISTRICT GROUP 1, EP 19848.

Owners: 168RT HOLDINGS LTD

Appendix "A" – Location Map

Appendix "B" – Preliminary Plans for 'Rainbow Ridge', dated 07/2018, prepared by EcoSign.

Appendix "C" – Project Brief

PURPOSE OF REPORT

This report provides an update on RZ1153, a rezoning application brought forward by Pacific Western Management under the Private Employee Housing Initiative. The application proposes 36 price-restricted employee townhomes and 24 market townhomes on the parcel located at 8975 Highway 99, adjacent to the Rainbow Neighbourhood. (See Appendix "A" Location Map.)

This report recommends that Council authorize staff to request additional information for a more complete preliminary evaluation.

DISCUSSION

Background

At the September 18, 2018 meeting Council reviewed rezoning application RZ1153, which was submitted as part of the Private Employee Housing Initiative. At the time, the application proposed three apartment buildings (3 and 4 storeys) with 99 apartment units and 48 dorm beds on the 5.66 hectare parcel, for a total of 339 bed units and a floor space ratio of 0.23. A mix of units was proposed: dorm

beds, studios, and one-, two-, and three-bedroom apartments. The proposal featured both surface and underground parking, treed buffer areas, multiple trail connections, green space/recreation areas, and protection of the riparian areas on the property. No variances were requested as part of the preliminary application materials. (See Administrative Report to Council No. 18-117 for details on the original application.)

Concerns that were raised by staff and Council included the size of the proposed development and number of dwelling units relative to the nature of the access. The development would be accessed via existing strata roads through the Rainbow neighbourhood. Other concerns identified with the proposal were the disturbance of a green field site and impacts to the viewshed from across Green Lake. Council carried the following motion:

> 'That Council authorize further review and processing of Rezoning Applications RZ1144 (2077 Garibaldi Way), RZ1146 (7104 Nancy Greene Drive), RZ1147 (1315 Cloudburst Drive), and RZ1152 (2028 Rob Boyd Way), and RZ1153 (8975 Highway 99) provided that an indication from the Ministry of Transportation and Infrastructure has been received within 120 days as to access to Highway 99.'

The official Ministry of Transportation and Infrastructure (MOTI) response was received in January 2019. MOTI staff indicated that they did not support providing the property with full highway access, given that the property has two existing rights-of-way through the Rainbow neighbourhood, and that right-in, right-out access from Highway 99 may be considered. Right-in, right-out access from Highway 99 was not supported by staff as the sole means of access to the property.

Council received an update on the file at the February 26, 2019 meeting. MOTI correspondence and staff comments on the application were reviewed. (See Information Report to Council No. 19-023). At that meeting two applications submitted under the Private Employee Housing Initiative were approved for further review, but RZ1153 was not among them. It was noted that several development sites proposed under the initiative had merit, however, each had significant outstanding concerns that could potentially be addressed by allowing greater flexibility in terms of the tenure and the form of housing.

To address the comments made by Council at the February meeting, on March 26, 2019 staff presented to Council a report recommending changes in the evaluation criteria for the Private Employee Housing Initiative, which were adopted by Council in December 2017. The revised guidelines were supported by Council. The revisions provided for greater flexibility with respect to tenure of housing, flexibility for a market component, and allowed for a range of housing forms. (See the March 26, 2019 Report to Council No. 19-043 for a complete listing of the revised evaluation criteria.) The limitation that all proposals had to be 100 per cent employee rental housing with rents below the market rate was removed. The new criteria stipulate that applications are to be predominantly for employee housing, however, owner-occupied units and some limited amounts of unrestricted market accommodation could potentially be supported to enhance project viability, affordability, livability and compatibility with surrounding neighbourhood conditions.

Revised RZ1153 Application

Under the revised evaluation criteria for the Private Employee Housing Initiative, the applicants for RZ1153 have submitted an updated proposal. (See Appendix "B" Preliminary Plans and Appendix "C" Project Brief.) The proposal includes the following:

- Density:
    - 3960 m^2 of resident restricted stratified townhomes to be sold at a price point established in accordance with Whistler Housing Authority guidelines. The unit mix would be 36 two- and three-bedroom units.

  - 3960 m^2 of market priced townhomes comprised of 22 to 24 three- and four-bedroom units.
  - 0.15 FSR is proposed.
- Design:
  - The buildings would be designed as two- to three-level townhomes, all facing south to optimize views and solar exposure.
  - High performance thermal envelopes are proposed to maximize energy efficiency.
- Amenities:
  - Provision of active and passive social and recreational amenities - walking trails, dog run, picnic area, and connections to the Valley trail system and mountain bike trails surrounding the property.
  - Provision of a public parking lot for trail head access with 24-30 parking stalls depending on final site layout and grading.
  - Dedication of the undeveloped portion of the site as a community park.
- Buffers:
  - An undeveloped buffer would be retained adjacent to the existing Rainbow neighbourhood.
  - The 20 meter setback along Highway 99 would remain undisturbed, except for areas of Valley Trail expansion.
- Environmental Protection:
  - The Skelding Brook riparian area would be left undisturbed.
- Traffic:
  - A single point of access from Ski Jump Rise is proposed.

The following table provides an overview of the development statistics for RZ1153, for both the current revised application and the previous development proposed. Overall, the number of units has been decreased from 99 apartment units, plus a dormitory with 48 beds, down to 60 townhomes, with an overall decrease in total gross floor area of development from 11,417 m^2 to 7,920 m^2, and a decrease in the floor space ratio from 0.23 to 0.15. The tenure has changed from 100 per cent rental to 100 per cent ownership with 60 per cent employee units and 40 per cent market units. Note that the proposed total gross floor area for employee and market components are equivalent at 3,960 m^2 each.

Table 1. RZ1153 Development Proposal

	Current Zoning	Parcel Area (ha)	Dwelling Units Proposed	Bed Units Proposed	Height	Density
August 2018 Proposal	RS-E1 Zone (Residential Single Estate One)	5.66	99 apartments + 48 dorm beds	339	15.6-19.0 m (3- & 4-storeys + parking)	11,417 m^2 0.23 FSR
August 2019 Proposal (Current, revised application)	"	"	60 townhomes (36 2- and 3-bedroom price restricted townhomes, and up to 24 3- and 4-bedroom market priced townhomes.)	240 bed units (May change depending on the final allocation of square footage/unit)	2- & 3-storeys + parking	7,920 m^2 0.15 FSR

Positive attributes of this proposal are the close proximity to transit and services for residents, generous green space and social areas, preservation of the riparian area on the property, trail connectivity, and 36 townhouses for sale at restricted pricing.

Considerations associated with the proposal include a single point of access through an existing strata road that will likely require both road and utility infrastructure upgrades, as well as the mix of market and employee-restricted units and the sales price of these units.

The applicant has indicated that the new traffic generation from the proposed development is well within acceptable capacity thresholds for the existing Rainbow road network. Additionally, the updated version of the application avoids any new connection to or traffic on Black Bear Ridge, and is expected to generate less traffic than the original proposal.

Staff feel that the revised application is a constructive step forward in addressing the concerns previously raised by staff and Council, and that a request for additional information is warranted, including:

- an updated traffic study,
- conceptual building design,
- preliminary servicing brief,
- development pro forma, and
- estimated sales price per unit.

Should Council support this request, staff will evaluate the additional information against the revised criteria for the Private Employee Housing Initiative, and provide a full analysis and recommendations regarding further review and processing of the application. Currently, insufficient information is available for a complete preliminary evaluation.

WHISTLER 2020 ANALYSIS

See Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018, for an analysis of the RZ1153 application against Whistler 2020 strategies.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw No. 303, 2015

The conceptual design received indicates that the proposal complies with the Zoning and Parking Bylaw No. 303, 2015, subject to a rezoning for additional density and potentially additional height.

Official Community Plan

Whistler's existing OCP outlines specific items for review with respect to rezoning applications. A detailed evaluation against these criteria was provided in Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018.

Development Permit Area guidelines will be reviewed as part of the zoning amendment process, should the application proceed for further review.

BUDGET CONSIDERATIONS

All costs associated with individual rezoning applications, including staff review time, public meetings, notices, and legal fees will be paid by the applicant.

COMMUNITY ENGAGEMENT AND CONSULTATION

A rezoning application sign is posted on the property. Rezoning applications are also identified in the applications register posted on the municipal website. Any correspondence received from members of the public becomes part of the rezoning application file for staff and Council consideration. No public correspondence has been received since the September 18, 2018 Council report.

Should the application proceed for additional information and further review, a public open house will be held. Following first and second readings of a zoning amendment bylaw, the application would be subject to a Public Hearing, adhering to statutory public notice requirements.

SUMMARY

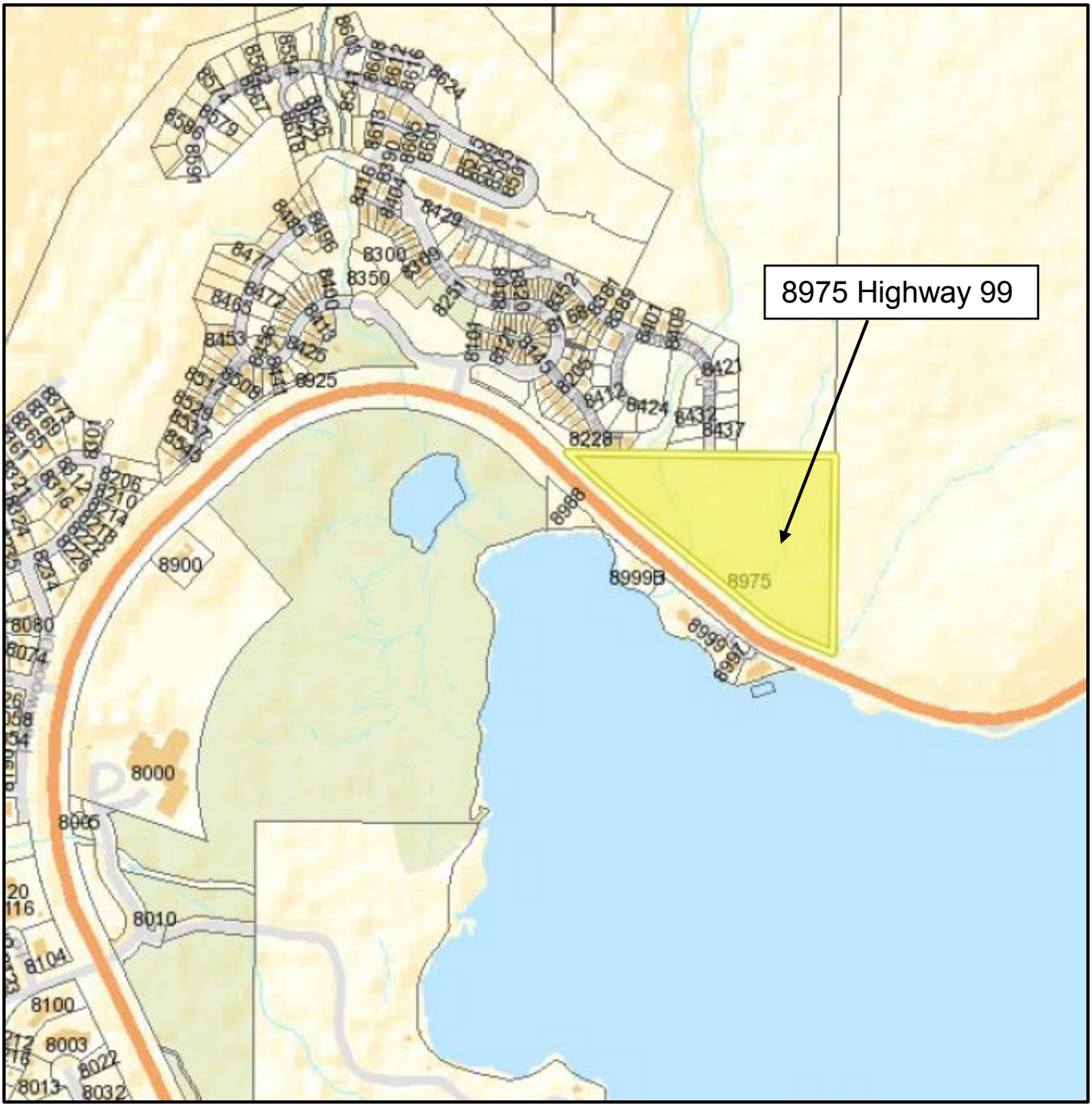
This report provides an update on RZ1153, a rezoning application brought forward by Pacific Western Management under the Private Employee Housing Initiative. The application proposes 36 price-restricted employee townhomes and 24 market townhomes on the parcel located at 8975 Highway 99, adjacent to the Rainbow Neighbourhood. This report recommends that Council authorize staff to request additional information for a complete preliminary evaluation.

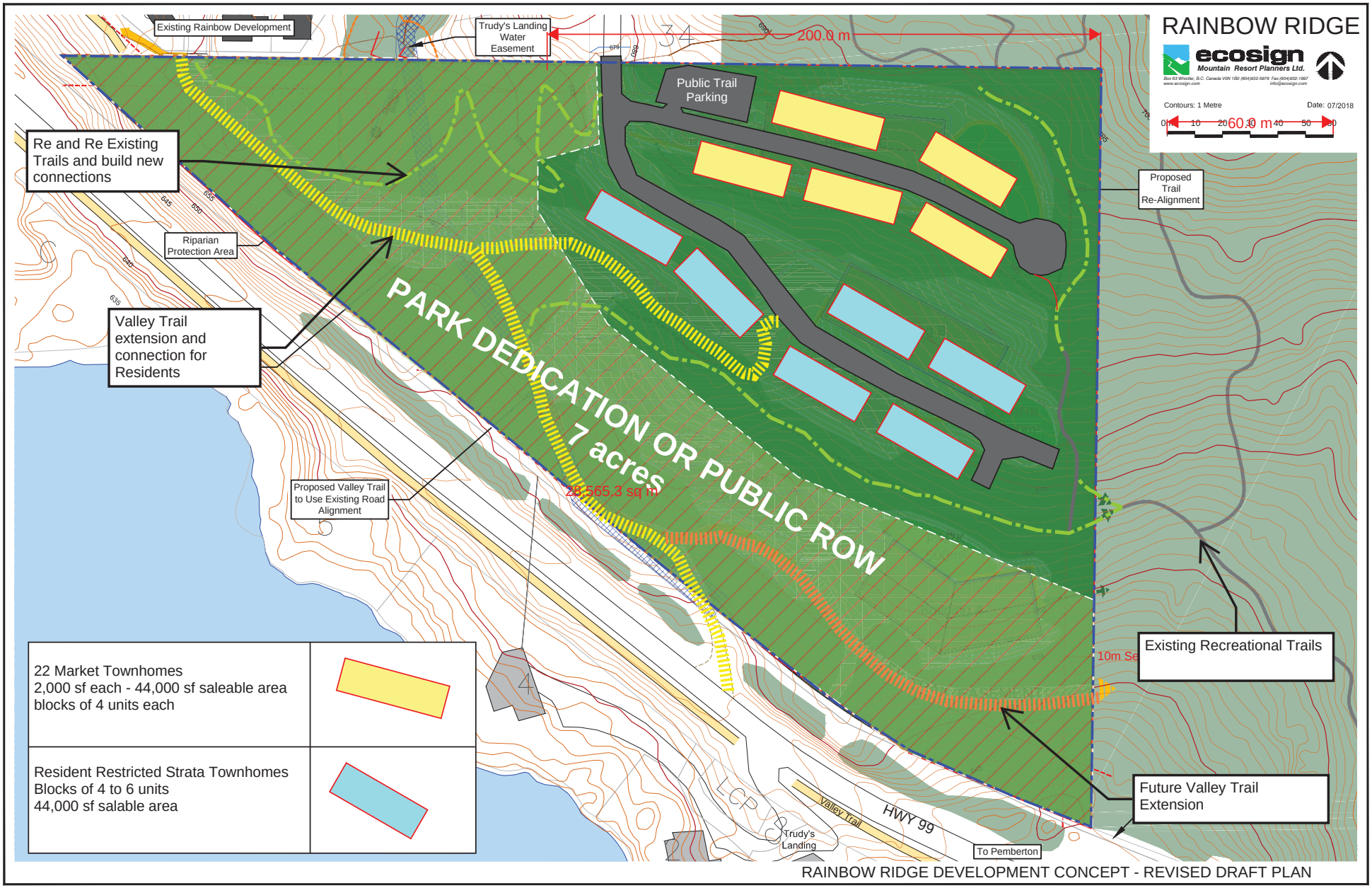
Respectfully submitted,

Amica Antonelli
PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A – Location Map




RAINBOW RIDGE
ecosign
Mountain Resort Planners Ltd.
Contours: 1 Metre
Date: 07/2018
0m 10 20 30 40 50 60.0 m
Existing Rainbow Development
Trudy's Landing Water Easement
200.0 m
Public Trail Parking
Re and Re Existing Trails and build new connections
Proposed Trail Re-Alignment
Riparian Protection Area
Valley Trail extension and connection for Residents
PARK DEDICATION OR PUBLIC ROW
7 acres
28,565.3 sq m
Proposed Valley Trail to Use Existing Road Alignment
Existing Recreational Trails
10m Se
22 Market Townhomes
2,000 sf each - 44,000 sf saleable area
blocks of 4 units each
Resident Restricted Strata Townhomes
Blocks of 4 to 6 units
44,000 sf salable area
Future Valley Trail Extension
LCP 8
Trudy's Landing
Valley Trail
HWY 99
To Pemberton
RAINBOW RIDGE DEVELOPMENT CONCEPT - REVISED DRAFT PLAN

Rainbow Ridge Development Proposal – Revision 4, July 2019:

Summary:

Rainbow Ridge is a planned residential community providing a variety of market and resident restricted, stratified townhomes for down sizers, seniors, couples and families. All units have south facing views of Whistler Valley over green laced and are located in a natural setting adjacent to the Rainbow neighborhood. This housing is intended to address the immediate & long term need for quality housing designed for Whistler lifestyles, near transit and community services, and available at market and below market rates to meet existing WHA housing values.

The design brief for the project is to achieve a significant supply of resident restricted stratified units through a mix of market and non market housing, located in a convenient and natural setting, supplemented with ample storage, parking, and recreational amenities. To this end, the buildings will be designed as two to three level townhomes, all facing south with spectacular views. The site and building orientation lends itself very well to Passive design principles, utilizing south facing passive heat gains and high performance thermal envelope to maximize energy efficiency. The project will meet the RMOW green building guidelines, and energy modelling will be undertaken to ensure maximum energy efficiency is achieved in an economical manner.

Highlights:

1. The Village at Rainbow Ridge – 44,000 sf of Resident Restricted, stratified townhomes. Unit mix proposed to be 36 two and three bedroom units, priced in accordance with existing WHA housing sales

2. The Terraces at Rainbow Ridge – 44,000 sf of market priced townhomes comprised of 24 three & four bedroom suites, complete with enclosed parking and secure bike and gear storage

3. Provision of active and passive social and recreational amenities for all age groups; walking trails, dog run, picnic area, and connections to the Valley trail system and the many mountain bike trails surrounding the property.

4. Provision of a public parking lot for trail head access with 24-30 parking stalls depending on final site layout and grading

5. Dedication of the undeveloped portion of the site as a community park to be enjoyed by existing and new residents in the Rainbow neighborhood.

6. Respects existing Rainbow community by providing a significant no development buffer

7. Abundant parking meeting current RMOW bylaws, along with secure gear and storage areas for individual residents. Recycling and mail pavilions will be conveniently located within the building complex as per RMOW multifamily guidelines.

8. Low density at 0.15 FSR, extremely low site coverage and undisturbed area covering most of the 14 acre site.

9. Extension of the Valley trail along Hwy 99 and its connection to Public transportation at the Rainbow junction.

10. New development and residents will provide increasing support for the existing community retail infrastructure in Rainbow.

11. Environmental highlights:
    - Protection of the Skelding Brook riparian zone
    - Site planning to protect most of the existing forest ecosystem and connect recreational trails
    - 20 meter setback along HWY 99 remains undisturbed

12. Traffic highlights:
    - Single point of access from Ski Jump Rise, avoiding connections or traffic on Black Bear Ridge
    - The new traffic generation from the proposed neighbourhood is well within acceptable capacity thresholds for the existing Rainbow road network.

Rainbow Ridge stats vs Rainbow Lands Development

	Rainbow Lands		Rainbow Ridge		Variance
	acres	sq m	acres	sq m	
Gross Site Area	43.92	177,745	14.00	56,656	-68%
Park area (acres)	2.40	9,716	7.00	28,328	192%
	Units	per acre	Units	per acre	Variance
Residential Units	339.00	7.72	60.00	4.29	-44%
Bed Units	1,532.00	34.88	300.00	21.43	-39%
	Area (sq m)	FSR on Gross Site Area	Area	FSR on Gross Site Area	Variance
Residential Floor Area	48,551.00	0.27	8,175.48	0.14	-47%
Commercial Floor Area	784.00	0.00	N/A	N/A	

2. Project Team:

Pacific Western Management – Developer / Development Manager
Pacific Western has completed numerous successful residential and mixed use projects, from urban infill to master planned communities including:

- The award winning Carlyle rental apartment building in downtown Vancouver was the 1st in the new era of downtown living to be developed in the DD.
- Bollert Place won the Van Heritage award; it contains a mix of different housing forms and the preservation of one Vancouver's first Railway mansions.
- Vancouver Tower, a downtown residential building, was the first major density transfer approved by the City.
- Parkwood in Nanaimo, a 110 acre master planned community; included a variety of housing types catering to all ages.
- Riverside Senior living, an independent senior rental apartment complex; currently under construction in Courtenay.

Orr Development Corp. – Developer / Project and Construction Manager
Orr Development is a fourth generation family owned and operated real estate company located in Vancouver. We develop, build and manage commercial and residential properties, and have been among the first developers in Vancouver to embrace new secure market rental projects which provides us with extensive experience and knowledge in the design, construction, management and economics of new rental housing. Recent project highlights include:

- Uptown, New Westminster – Rezoning in progress for a 29 storey mixed use building consisting of 75 secured market rental apartments, 120 condominiums, and 20,000 sf of retail space in Uptown New Westminster
- 188 E 49th Ave – under construction, 75 secured market rental units and ground floor commercial space at Main Street & 49th ave that is revitalizing the Punjabi Market neighborhood in South Vancouver. Targeting LEED Gold certification.
- West Five – 5th ave & Burrard Street, Vancouver – 5 storey mixed use Condominium and Retail project, designed by Yamamoto Architecture, involving the reclamation of a contaminated brownfield site
- The Robert – Completed May 2015 – 70 secured market rental units and 15,000 sf of retail space at West Broadway and Carnarvon Street in Vancouver, LEED Gold Certified. The first project approved under the City of Vancouver's Rental 100 program.

Consultant Team:

Ecosign Mountain Resort Planners – founded in 1975 in Whistler, the term Ecosign is a contraction of the words "ecological design." The company has grown through the decades and has earned the reputation as one of the most innovative and experienced mountain resort planning companies worldwide. Ecosign has worked on well over 400 different mountain resort projects in 42 countries and brings a wealth of mountain resort planning experience to the Rainbow Ridge project.

Yamamoto Architecture – Yamamoto is a second generation architecture firm located in Vancouver. Lead by Taizo Yamamoto, the firm has worked on many successful mixed use and residential projects throughout the lower mainland and has earned a reputation for creating buildings with innovative and modern designs with a functional and timeless aesthetic.

Cascade Environmental Resource Group – Based in the Sea to Sky region, Cascade has been providing environmental consulting services for over 15 years and has the local team and knowledge necessary to manage and consult on the environmental impact of a development project in Whistler.

Bunt & Associates Transportation Planners – With experience spanning across Canada, Bunt offers balanced and sophisticated insight into rural and urban transportation planning. For Rainbow Ridge, Bunt is advising on internal road design and vehicle turning paths, parking and loading review, and vehicle trip projections and capacity operational analysis of existing road networks.

Creus Engineering – With extensive experience working in Greater Vancouver and Sea to Sky corridor, Creus draws on 28 years of design and project management experience and uses the latest in 3D civil design software to optimize and balance economics, environmental concerns and best engineering practices.

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-120
FROM:	Resort Experience	**FILE:**	RZ1147
SUBJECT:	RZ1147 – 1315 AND 1345 CLOUDBURST DRIVE – ATHLETE/ EMPLOYEE HOUSING		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATIONS

That Council consider giving first and second readings to "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019";

That Council authorize staff to schedule a public hearing for "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", and to advertise for same in the local newspaper;

That Council direct staff to advise the applicant that before consideration of adoption of "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", the following matters shall be addressed to the satisfaction of the General Manager of Resort Experience;

1. Registration of a Section 219 covenant on title of 1315 Cloudburst Drive in favour of the Resort Municipality of Whistler to:
   a. Establish a supported design for the proposed development that is consistent with Council Policy G22 (Cheakamus Area Legacy Neighbourhood Design Guidelines); and,
   b. Ensure the proposed development is consistent with the Green Building Project Checklist and with the objectives and goals of the municipality's Green Building Policy G-23;
2. Registration of a housing agreement on title of 1315 Cloudburst Drive in favour of the RMOW to regulate employee housing use;
3. Registration of a housing agreement on title of 1345 Cloudburst Drive in favour of the RMOW to regulate employee housing use, including the condition of a right of first refusal to full time daycare workers and essential services employees as defined by Provincial legislation;
4. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the hard and soft landscape works as security for the construction and maintenance of these works;
5. Submission of a final waste and recycling plan that is consistent with "Solid Waste Bylaw No. 2139, 2017";
6. Submission of a snow shed report; and further

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

REFERENCES

Location: 1315 and 1345 Cloudburst Drive

Legal Description: PLAN EPP1290 LOT C DISTRICT LOT 8073 NEW WESTMINSTER DISTRICT GROUP 1, and, PLAN EPP1290 LOT B DISTRICT LOT 8073 NEW WESTMINSTER DISTRICT GROUP 1

Owners: RMOW

Appendix "A" – Location and Zoning Map

Appendix "B" – Plans and Elevations, dated July 15, 2019, prepared by Murdoch and Company Architecture and Planning Ltd.

"Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019" (Not Attached)

PURPOSE OF REPORT

This Report presents "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", and describes matters to be addressed by the applicant prior to adoption of the bylaw. Bylaw No. 2245 will amend the permitted uses and density at 1315 Cloudburst Drive, and the permitted uses at 1345 Cloudburst Drive in the Cheakamus neighbourhood. (See Appendix "A" - Location and Zoning Map.)

This Report recommends that Council consider giving first and second readings to Bylaw No. 2245 and authorize staff to schedule a public hearing.

DISCUSSION

Background

At the July 9, 2019 meeting, Council made the following resolutions:

> 'That Council endorse further review of RZ1147 a revised application from Whistler Sport Legacies to amend the AC3 zone at 1315 Cloudburst Drive as well as the AC2 zone at 1345 Cloudburst Drive to provide for employee housing on both sites as described in this Report; and
>
> That Council authorize staff to schedule a public information meeting to obtain input on the proposed zoning changes; and
>
> That Council authorize staff to prepare the necessary zoning amendment bylaws for Council consideration; and further,
>
> That the zoning for the existing townhouses at 1345 Cloudburst Drive include the condition of a right of first refusal to full time daycare workers and essential services employees as defined by Provincial legislation.'

An open house was held on August 20, 2019. Three members of the public attended. Staff and the applicant's architect gave a presentation on the proposed zoning amendment bylaw and the design of the development to be constructed at 1315 Cloudburst Drive. A round table discussion was held. Topics of discussion were density, proposed rental pricing and the cost of construction, and traffic impacts.

Zoning Amendment Bylaw No. 2245

"Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019" proposes the following:

- for 1315 Cloudburst Drive (AC3 Zone):
  - add 'employee housing' to the existing list of permitted uses,
  - increase the maximum permitted gross floor area from 2500 m^2 to 3900 m^2, and,
  - restrict non-employee housing uses to 2500 m^2 of gross floor area.
- for 1345 Cloudburst Drive (AC2 Zone):
  - add 'employee housing' to the existing list of permitted uses.

No existing permitted uses are proposed to be removed from the AC2 or AC3 zones. All other provisions of Zoning and Parking Bylaw No. 303, 2015 that pertain to the parcels, such as building height and parking requirements, remain unchanged.

Housing Agreement Bylaws

A housing agreement will be registered on title of each of the properties to establish regulations for employee use. At the time that Zoning Amendment Bylaw No. 2245 is adopted, the Housing Agreement Bylaws will come forward for Council review and, if supported, first, second, and final readings.

Both housing agreements will apply the new, updated definition of 'Eligible Employee'. For example, the employees must work full time for a minimum average of 30 hours per week and be employed in Whistler with employment that justifies residing in Whistler. Proof of eligibility will be required.

At 1315 Cloudburst Drive:

- Below market, price restricted employee housing use will be secured for 1400 m^2 of gross floor area (the incremental density approved through the zoning amendment process). Athlete or coach accommodation would not be permitted. The existing permitted density (2500 m^2) would be available for either employee housing or athlete/coach accommodation.
- Eligible employees may come from the WSL workforce or from the Whistler Housing Authority (WHA) waitlist.

The proposed rents are $1,200 per month for one-bedroom units approximately 438 square feet in size, and $2,200 per month for two-bedroom units approximately 660 square feet in size. The proposed development plans show a total of 57 units with 21 one-bedroom and 36 two-bedroom units. Of this total, 20 of the apartment units (eight one-bedroom and 12 two-bedroom) would be price restricted employee housing. The remaining units are anticipated to be used for a combination of WSL seasonal employees and shorter-term athlete and coach accommodations as is permitted under current zoning. (As the design is further refined, interior layout, unit size, and unit count may change, so long as the overall layout complies with the approved zoning.)

At 1345 Cloudburst Drive:

- The housing agreement placed on title would restrict employee housing tenants to eligible employees. The units would not be subject to a price restriction.
- Eligible employees may be from the WSL work force or any other eligible employee meeting current employee definitions.
- The agreement will include a right of first refusal to full time daycare workers and essential services employees as defined by Provincial legislation.

1315 Cloudburst Drive - Building Design

The proposed zoning amendment bylaw will permit a new 3900 m^2 apartment building to be constructed at 1315 Cloudburst Drive. A development covenant would be placed on title prior to bylaw adoption establishing the approved design concept (see Appendix "B" Plans and Elevations). Details of the proposal area as follows:

- The building is situated to the eastern side of the parcel with the entrance facing Cloudburst Drive.
- The site plan features a one-way driveway with parallel parking, connecting to a two-way driveway leading into the underground parkade
- The building is broken into two modules plus a central atrium. The design includes a prominent shed roof with large roof overhangs.
- Balconies are provided for each unit.
- A climbing wall feature is proposed for the front (south side) of the building.
- Generous green space is provided, including a terrace with tables and seating.
- The forested knoll on the property is preserved. Trails are proposed leading into the forested area.

The proposal was reviewed by the Advisory Design Panel at the February 20, 2019 and May 22, 2019 meetings. At the meeting on May 22, 2019 the panel recommended support for the proposed design.

WHISTLER 2020 ANALYSIS

See Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018, for an analysis of the proposal against Whistler 2020 strategies.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw No. 303, 2015

The development proposed for 1315 Cloudburst Drive complies with the provisions of Zoning and Parking Bylaw No. 303, 2015, subject to the proposed amendment for increased density in the AC3 Zone.

Official Community Plan

Whistler's existing OCP outlines specific items for review with respect to rezoning applications. A detailed evaluation against these criteria was provided in Administrative Report to Council 18-117, Private Employee Housing Initiative Recommendations, September 18, 2018.

The subject property is not located within a development permit area under the existing Official Community Plan, however Council Policy G-22 requires that the design be assessed against the Cheakamus Legacy Neighbourhood Design Guidelines. The design proposed complies with the Guidelines.

The following table provides an overview of the applicable Guidelines and how the proposed development complies:

Table 1. Cheakamus Area Legacy Neighbourhood Design Guidelines

Summary of Relevant Design Guidelines	Comments
1.0 – Emphasize human scale in the neighbourhood.	- The prominent single-story entry canopy provides a welcoming entrance and provides an element of human scale at the street frontage.
3.2 (Figure 2) – Knoll should be preserved; trail connection indicated north side of property to connect to parcels north.	- Knoll on north side of parcel is preserved. - Potential for trails indicated on north side of parcel into forested area.
4.1 – Orientation capitalizes on views, sun, and landscape features.	- Half of the units have N/NE/NW views of the forested knoll with limited solar access, the other half will have S/SE/SW views and improved solar access.
4.3.1 – Sufficient space for landscaping, snow storage, pathways, - Setbacks accommodate sidewalks, seating, plantings, - solar access to private outdoor space, - reduce front setbacks to create a strong street presence.	- Snow storage is identified. - A south-facing green space is included in the design. The north outdoor terrace will have some shading.
4.3.2 – Comfortable relationship with scale of neighbouring buildings, - Maximum 4-stories in neighbourhood centre, 3 in residential areas, - Break the mass into multiple volumes, - Variability in roof planes, - Architectural features and detailing to moderate scale of building and create ground floor interest.	- The proposed building is one story taller than the adjacent buildings, plus the height of the raised, shed roof. - The building is broken up into several distinct segments.
4.3.3 – Incorporate variety in roof height, form, and slope - roof ridgeline should not appear long and continuous, - make use of dormers, lower roof line and incorporate living space under roof structure, - design roof for safe snow shedding (rather than making use of devices), - wide overhangs, exposed beams, chimneys supported, - use of metal, asphalt, wood supported,	- Intersecting shed roofs are proposed. - Wide overhangs are provided.
4.3.4 – Stone or concrete at ground level is supported.	- Some ground level variation in colour and materials is provided.
4.3.5 – Break up linear aspects of façade with balconies, colour, fenestration, etc.	- Balconies and materials provide variation.
4.3.7 – Provide for a prominent entry.	- Complies.
4.3.10 – Local stone, concrete, beams, wood, Hardi-plank, and metal are support materials.	- Materials are consistent.
4.3.11 – Colour should be drawn from natural environment, - Incorporate accent colours at ground level.	- Colours are consistent.

Fire Smart Development Permit Area

The proposal complies with the Fire Smart requirements of the pending Official Community Plan. Fire resistant siding and roofing materials area proposed, and conifer trees are kept away from the building.

Green Building Policy G-23

The applicants have submitted a Green Building Project Checklist that is consistent with the objectives and goals of the municipality's Green Building Policy G-23. Green building initiatives include progressive energy efficiency standards that comply with the BC Building Code, water conserving plumbing fixtures, and water conserving landscaping.

BUDGET CONSIDERATIONS

All costs associated with individual rezoning applications, including staff review time, public meetings, notices, and legal fees will be paid by the applicant.

COMMUNITY ENGAGEMENT AND CONSULTATION

Consistent with the practice for all of the Private Sector Housing Initiative rezoning proposals, an open house was held on August 20, 2019. As described above three members of the public attended. Staff and the applicant's architect gave a presentation on the proposed zoning amendment bylaw and the design of the development to be constructed at 1315 Cloudburst Drive. A round table discussion was held. Topics of discussion were density, proposed rental pricing and the cost of construction, and traffic impacts.

The proposed zoning amendment bylaw is subject to a public hearing adhering to statutory public notice requirements. This Report recommends that Council authorize staff to schedule the public hearing.

SUMMARY

This Report presents "Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019", and describes matters to be addressed by the applicant prior to adoption of the bylaw. Bylaw No. 2245 will amend the permitted uses and density at 1315 Cloudburst Drive, and the permitted uses at 1345 Cloudburst Drive in the Cheakamus neighbourhood.

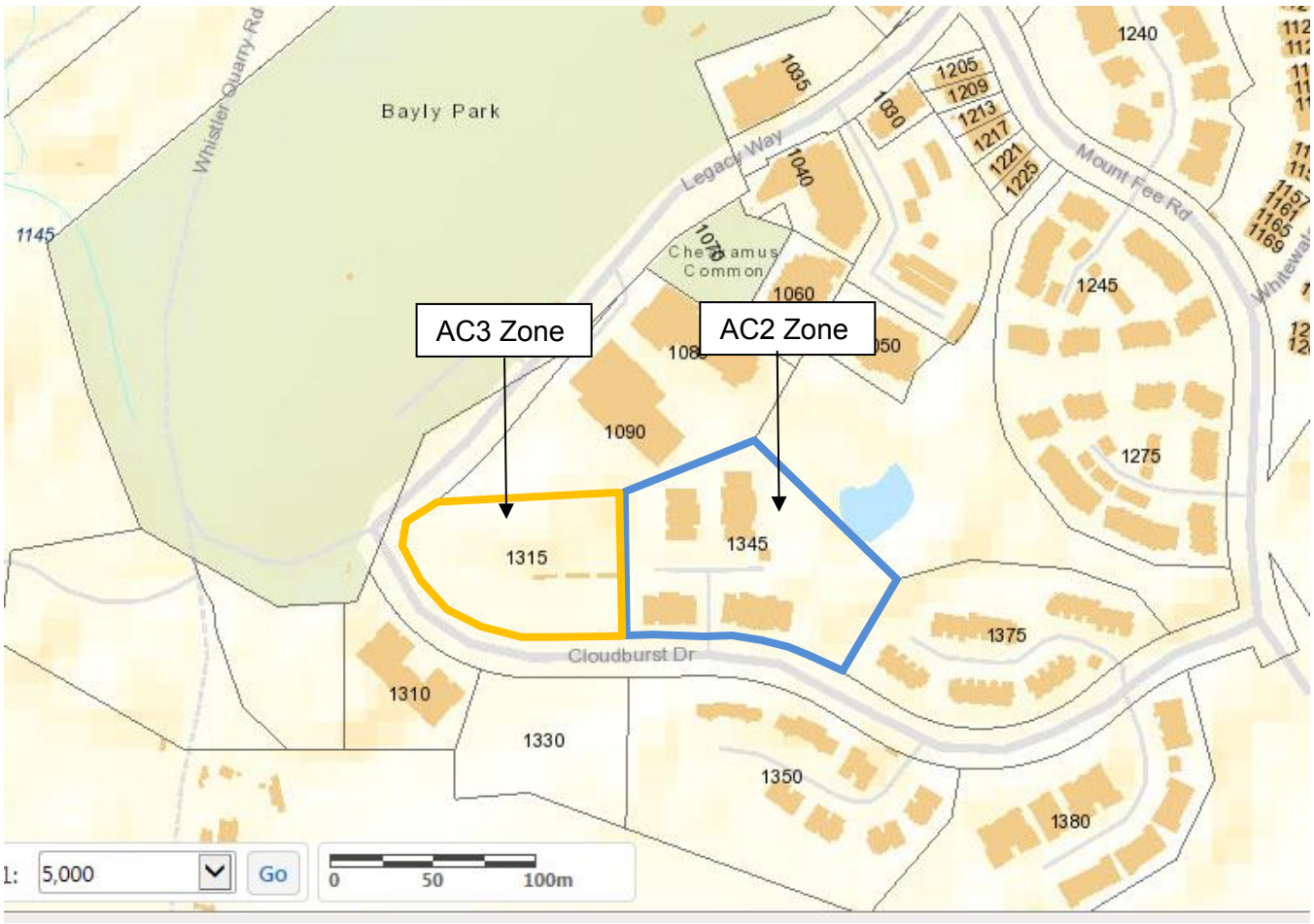
This Report recommends that Council consider giving first and second readings to Bylaw No. 2245 and authorize staff to schedule a public hearing.

Respectfully submitted,

Amica Antonelli
PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A – Location and Zoning Map



Development Stats - PRELIMINARY

APR. 23, 2019

Civic Address:	**1315 CLOUDBURST DRIVE, WHISTLER, BC**
Legal:	**PLAN EPP1290, LOT C, D.L. 8073 , N.W.D., GROUP 1.**
P.I.D.:	**027-791-076**
ZONING	**AC-3 (existing)**
SITE AREA:	**6590 m2 (70,934 s.f.)**

	PERMITTED		PROPOSED	
TOTAL GROSS FLOOR AREA	2599 m2 (27977.78 sf)		**3881.3 m2**	**41778.0 sf**
FLOOR SPACE RATIO	0.38		**0.589**	
HEIGHT (permitted)	16.0 m (52.5 ft.)		approx. 16.0 m (52.5 ft.)	
SETBACKS:				
Legacy Way (on per AC-3 Zoning)	9.5m (31.17 ft.)		9.5m (31.17 ft.)	
Cloudburst Drive	6.0 m (19.10" ft)		6.0 m (19.10" ft)	
Rear	6.0 m (19.10" ft)		6.0 m (19.10" ft)	
East Side	6.0 m (19.10" ft)		6.0 m (19.10" ft)	

GROSS FLOOR AREA:

UNIT COUNT

UNIT A (1 BR)	**21 UNITS @ 40.7 m2 (438.0 sf)**
UNIT B (2 BR)	**36 UNITS @ 61.3 m2 (660.0 sf)**
	57 UNITS

Floor Plans - Building A

Underground Parking			
	Garbage / Recycling	20.8 m2	224 sf Excluded from GFA
	Storage	66.0 m2	710 sf Excluded from GFA
	Electrical / Mechanical	25.1 m2	270 sf Excluded from GFA
	Circulation	13.7 m2	148 sf
Ground Floor			
	Floor Area	817.1 m2	8795.9 sf
	Laundry/Utility	37.8 m2	406.0 sf
	Common Area / Circulation	223.2 m2	2403.0 sf
Second Floor			
	Floor Area	857.9 m2	9234.0 sf
	Common Area / Circulation	193.0 m2	2077.0 sf
Third Floor			
	Floor Area	857.9 m2	9234.0 sf
	Common Area / Circulation	193.0 m2	2077.0 sf
Fourth Floor			
	Floor Area	531.0 m2	5716.0 sf
	Common Area / Circulation	155.8 m2	1666.0 sf
		3881.3 m2	**41778.0 sf**

TOTAL FLOOR AREAS - ALL FLOORS

Floor Area	3061.8 m2	32979.0 sf
Laundry/Utility	37.8 m2	406.0 sf
Common Area / Circulation	775.7 m2	8350.0 sf
TOTAL AREA	**3881.3 m2**	**41778.0 sf**

PARKING CALCULATION:

Required:		
1 space per unit 85m2 GFA or less	21 units x 1	21 cars
0.5 space per additional 40m2, max. 2 per unit	36 units x 1.5	54 cars
	0 units x 2	0 cars
Total parking required =		**75 cars**
	70%	**56 cars**
TOTAL PARKING PROVIDED:		**70 cars (65 u/g + 5 surface) 93% of bylaw standard**

Design Under Part 3 2012 BC Building Code

Project Directory

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(e) rsoane@whistlersportlegacies.com
Contact: Roger Soane

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(e) murdoch@telus.net
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Surveyor:
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Civil Engineer:
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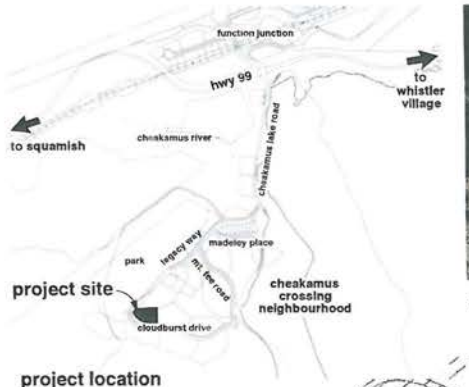
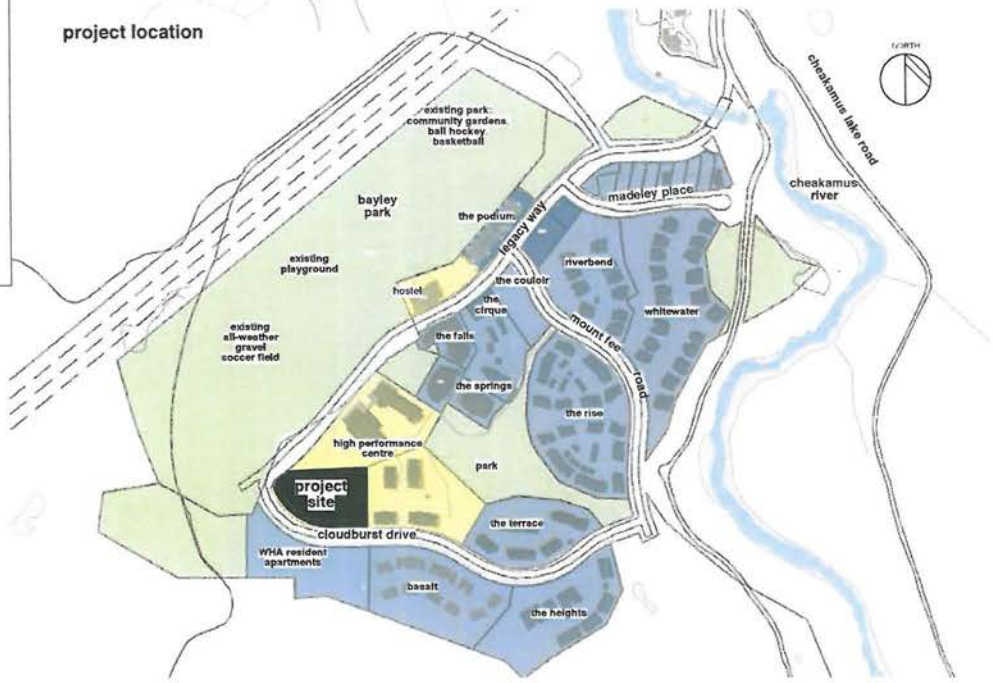
Squamish, BC V8B 0G2
(T) (604) 567-4904
(e) RDosSantos@binnie.com
Contact: Rob DosSantos

Drawing List

A=1.0	Cover Page / Key Plan / Site Context
A-1.1	Site Plan
A-2.1	Parking Plan
A-2.1a	Parking Floor Areas
A-2.2	Suspended Slab Plan
A-2.3	Ground Floor Plan
A-2.3a	Ground Floor Areas
A-2.4	Second Floor Plan
A-2.4a	Second Floor Areas
A-2.5	Third Floor Plan
A-2.5a	Third Floor Areas
A-2.6	Fourth Floor Plan
A-2.6a	Fourth Floor Areas
A-2.7	Roof Plan
A-3.1	Elevations
A-3.2	Elevations
A-4.1	Sections
A-4.2	Sections
A-9.1	Unit Plans
A-9.1	Material Board
L-1.1	Grading Plan
L-1.2	Site Sections
L-2.1	Landscape Plan
3D-1	3D Massing
3D-2	3D Massing
3D-3	3D Massing





cheakamus crossing - existing neighbourhood

Whistler Sport Legacies

1315 Cloudburst Drive, Cheakamus Crossing, Whistler BC

ADP SUBMISSION - revised July 15, 2019

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REVISED PER WS COMMENTS	APR. 30, 2019
REVISED PER COMMUNITY ADP	JULY 15, 2019

1 Site Plan
1/16" : 1'-0" imperial

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REVISED - comments from ADP	JULY 15, 2019

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Sheet Title:
SITE PLAN
Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

Sealed By:

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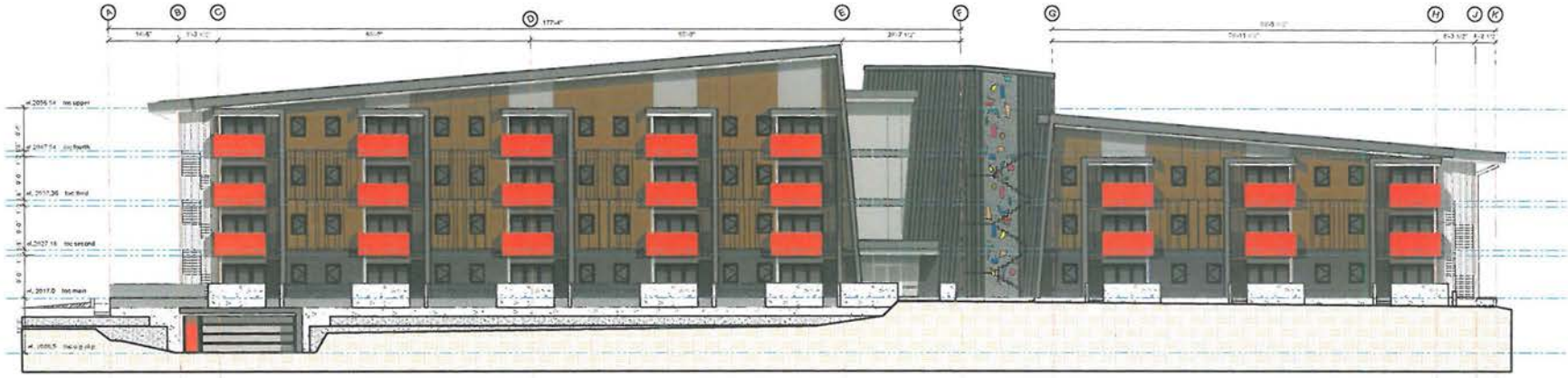
SITE PLAN



1 South Elevation
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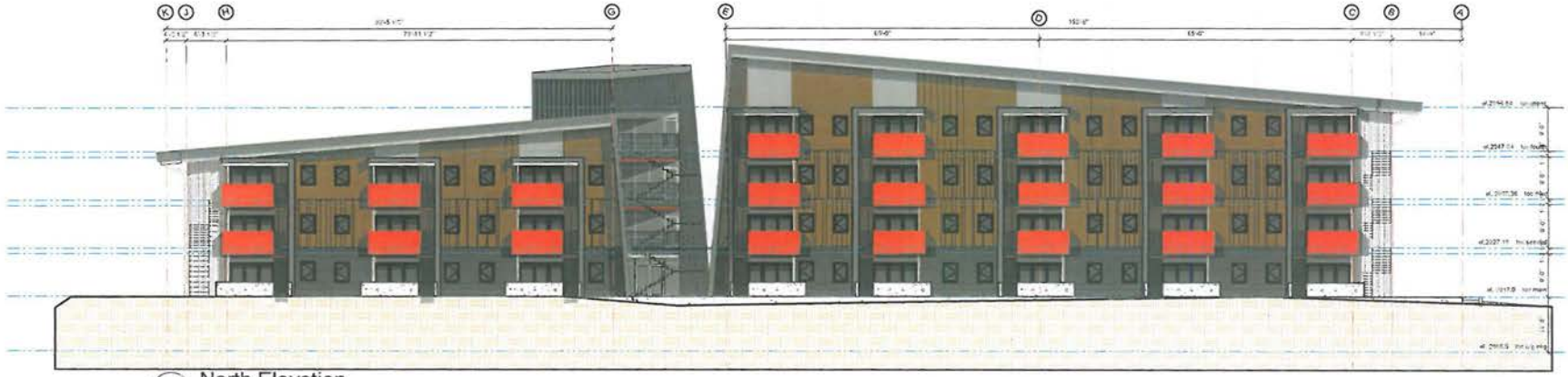

2 North Elevation
3/32" : 1'-0" imperial

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REVISED: RMOW comments/ADP	JULY 15, 2019

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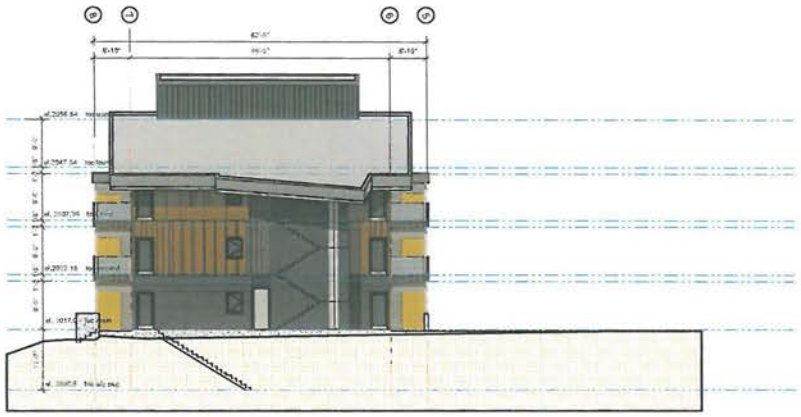
ELEVATIONS



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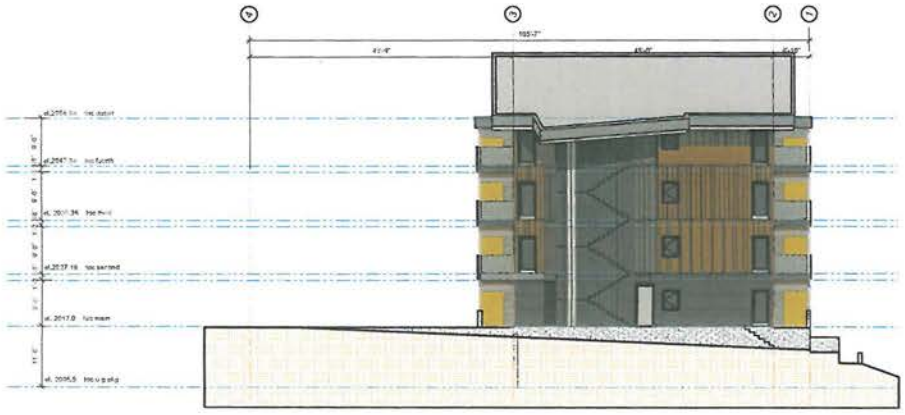

2 West Elevation
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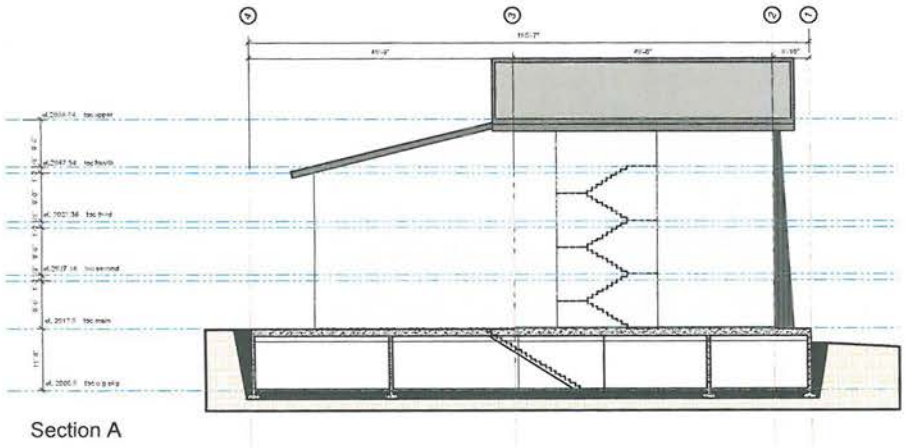

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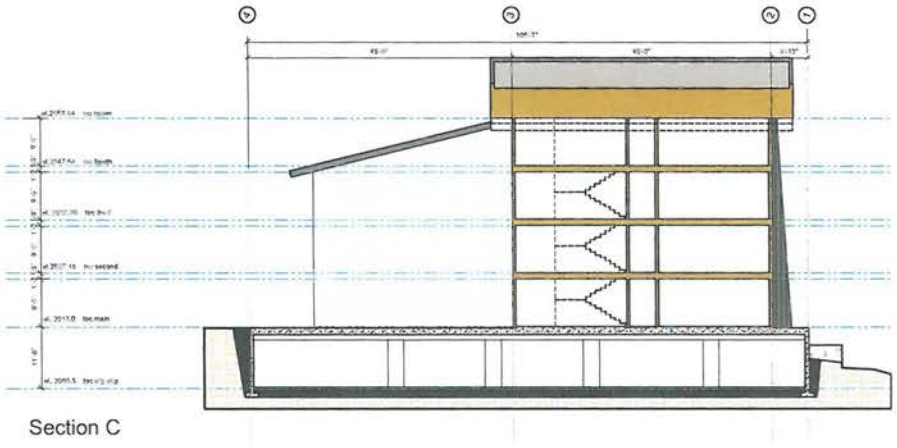

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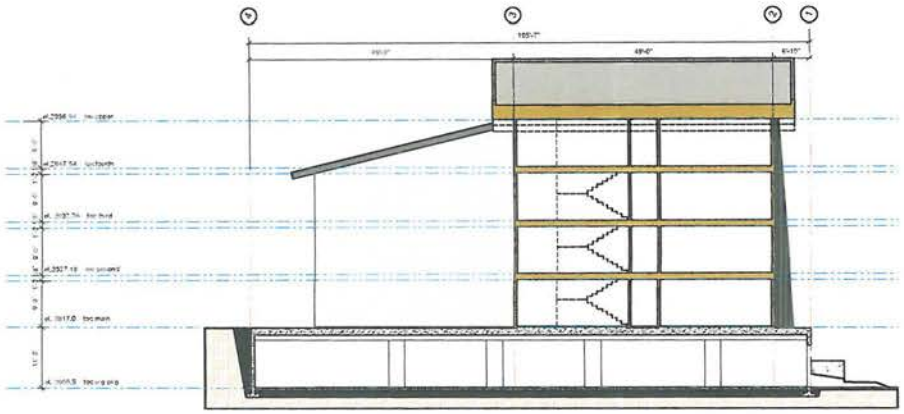

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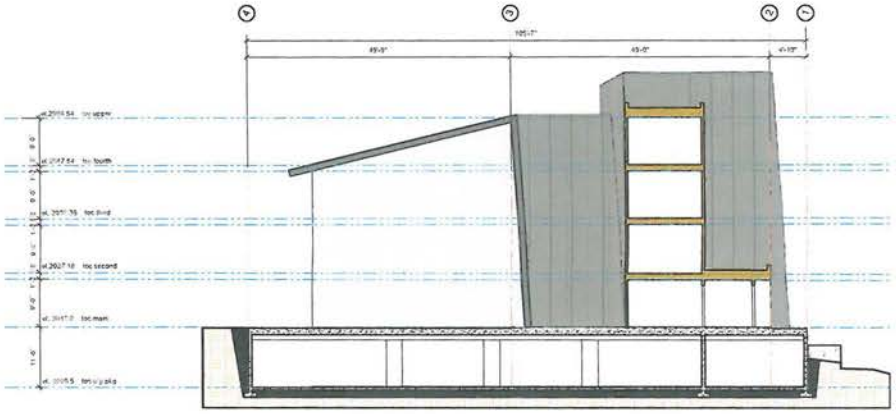

4 Section DD
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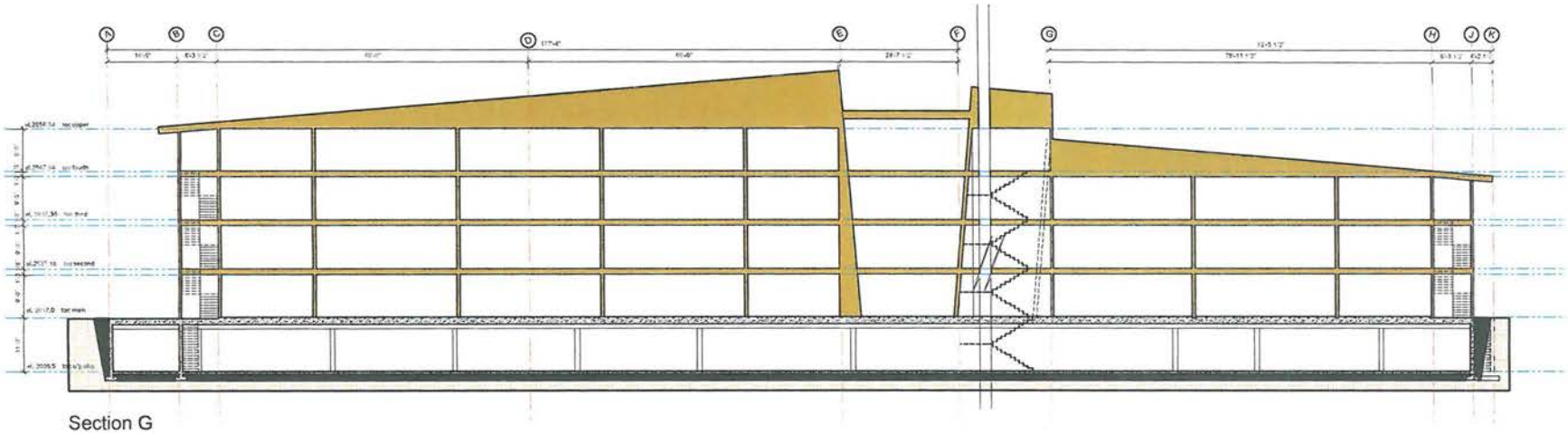

Section G

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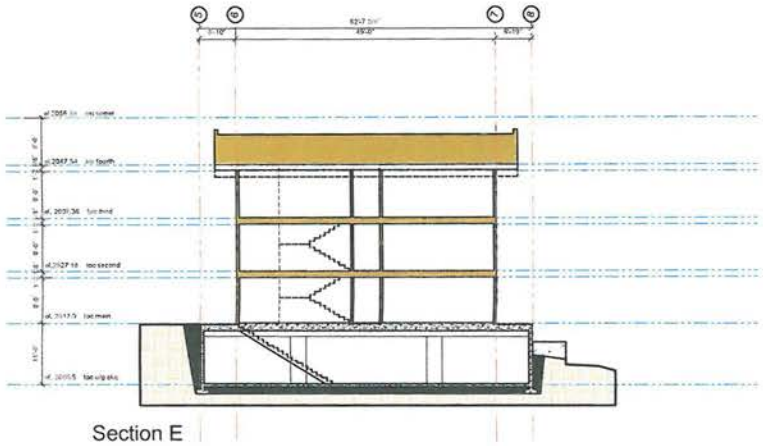

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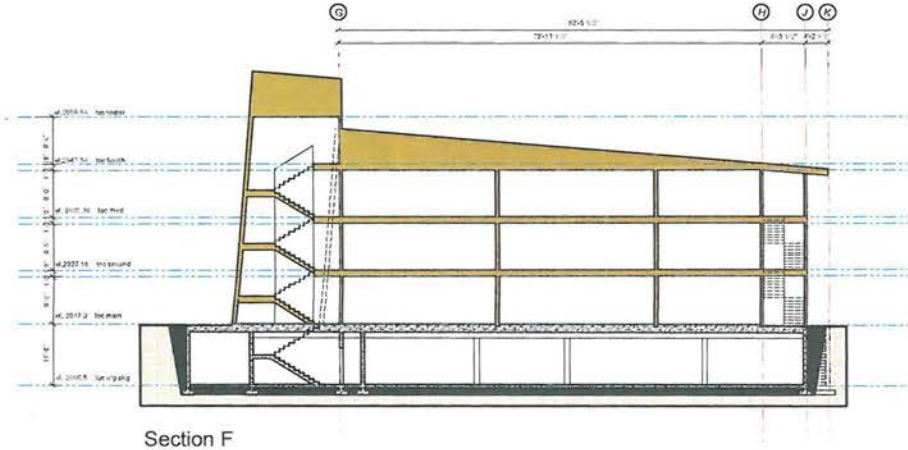

Section F

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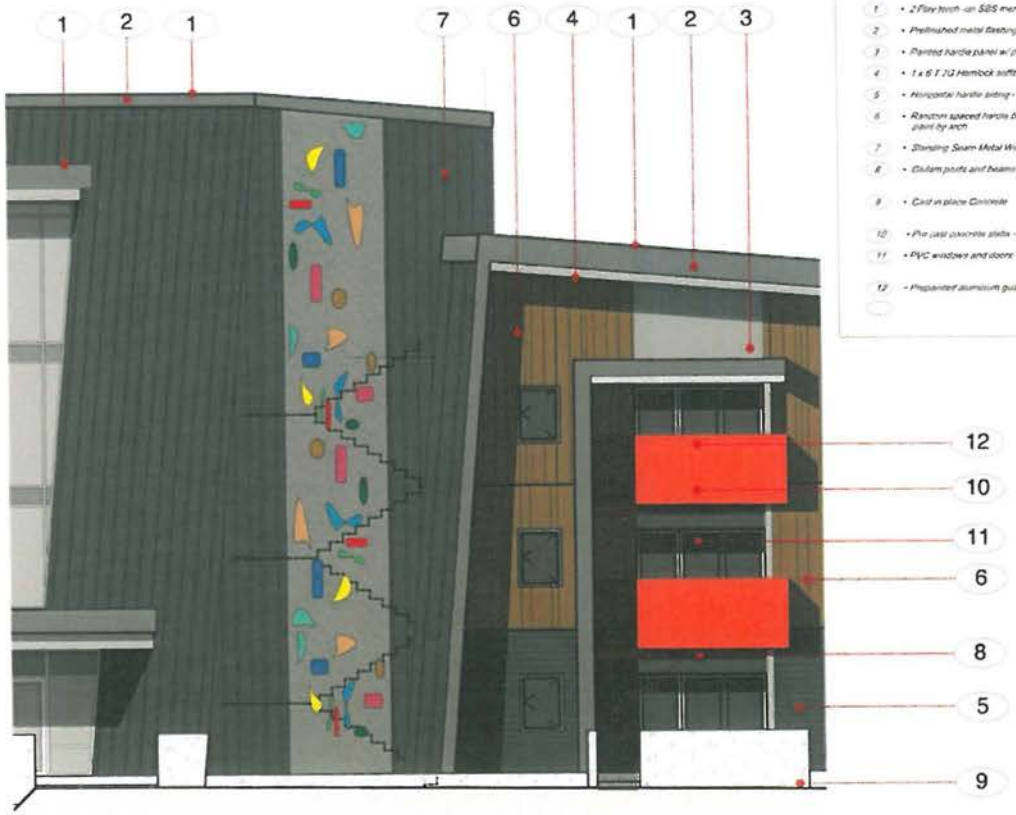

EXTERIOR FINISHES LEGEND

1	• 2 Ply torch -on SBS membrane - Grey
2	• Prefinished metal flashing light grey colour
3	• Painted hardie panel w/ prefinished metal reveal
4	• 1 x 6 T 7G Hemlock soffit - clear stain
5	• Horizontal hardie siding - color by Arch
6	• Random spaced hardie board and batten paint by arch
7	• Standing Seam Metal Wall cladding
8	• Glulam posts and beams - stained
9	• Cast in place Concrete
10	• Pre cast concrete slabs - natural
11	• PVC windows and doors - aluminum finish
12	• Prepainted aluminum guardrails

1 TWO PLY TORCH ON ROOFING

2 PREFINISHED METAL FLASHING

3 HARDI PANEL WITH REVEALS

4 1x6 T&G HEMLOCK SOFFIT- CLEAR STAIN

5 HORIZONTAL HARDIE SIDING, COLOUR BY ARCH.

6 RANDOM SPACED BOARD & BATTEN COLOR BY ARCH.

7 STANDING SEAM METAL WALL CLADDING

8 GLULAM POSTS & BEAMS - STAINED

9 CAST IN PLACE CONCRETE

10 PRE CAST CONCRETE SLABS

11 PVC WINDOWS & WOOD DOORS

12 PRE PAINTED ALUM. GUARDRAILS

1 1/4" : 1'-0" imperial
South Elevation

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Sheet Title:
MATERIAL BOARD

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WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

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REVISED: RMOW comments/DP	JULY 15, 2019

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Sheet Title:
SITE GRADING PLAN

Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

Sealed By:

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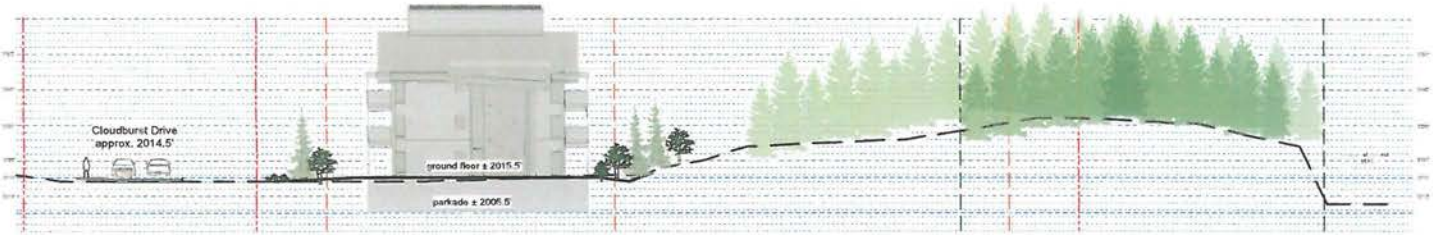
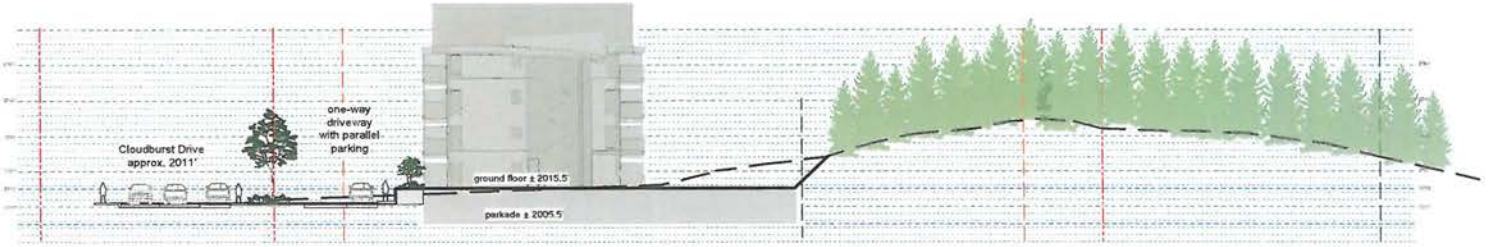
1714	L-1.1

SITE GRADING PLAN

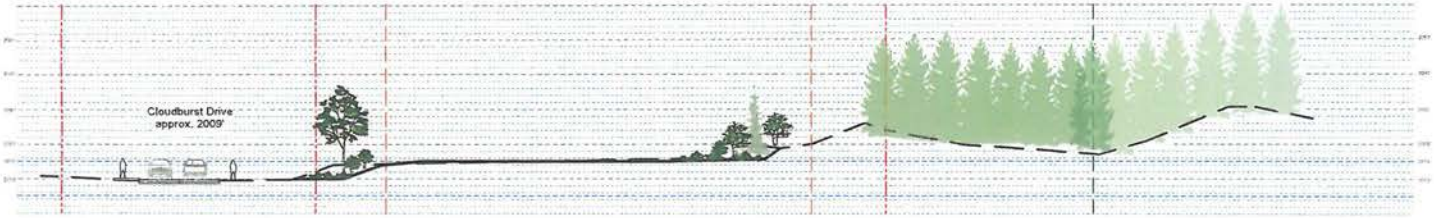
Site Section A - Streetscape Elevation, Cloudburst Drive



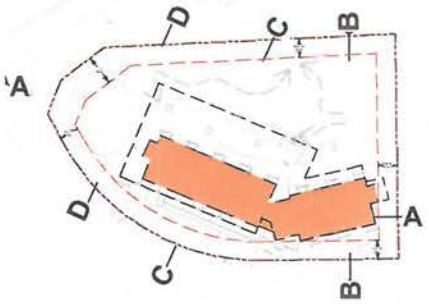
Site Section B



Site Section C



Site Section D



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North

Issued For:	Date:
DP APPLICATION	Oct. 15, 2018
ADP SUBMISSION	Dec. 21, 2018
REVISED: DWDP OFF/LOADING	JAN.08, 2019
REVISED: SETBACKS	FEB. 12, 2019
REVISED: RMOW comments/ADP	MAY 02, 2019
REVISED: RMOW comments/ADP	JULY 15, 2019

Issued For:	Date:

Sheet Title:
SITE SECTIONS

Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

Sealed By:

MURDOCH COMPANY
ARCHITECTURE + PLANNING LTD.
#106-4319 Main Street
P.O. Box 1394
Whistler, B.C. V8N 1B0
Ph. 905-6912 Fax 905-6991
e-mail: office@murdochandco.ca

Drawn By:	Scale:
BM/JL	1/16" = 1'0"
Project No:	Sheet No:
1714	L-1.2

SITE SECTIONS

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DP APPLICATION	Oct. 15, 2018
ADP SUBMISSION	Dec. 21, 2018
REVISED: DROP OFF/LOADING	JAN.08, 2019
REVISED: RETAINING	FEB. 12, 2019
REVISED: RMOW comments on DP	MAY 02, 2019
REVISED: RMOW comments on DP	JULY 15, 2019

Issued For:	Date:

Sheet Title:
LANDSCAPE PLAN

Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

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Drawn By: BM/JL
Scale: 1/16" = 1'0"
Project No: 1714
Sheet No: L-2.1
LANDSCAPE PLAN

1 **STREET OVERVIEW**
Scale = N/A

2 **AERIAL OVERVIEW**
Scale = N/A

1315 CLOUDBURST DRIVE

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Issued For	Date	Issued For	Date
DP APPLICATION	Oct. 15, 2018		
ADP SUBMISSION	DEC. 21st, 2018		
REVISED RMOW comments ADP	MAY 02, 2019		
REVISED RMOW comments ADP	JULY 15, 2019		

Sheet Title
3D MASSING
Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

Sealed By

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Drawn By	Scale
BM/DK	N/A
Project No	Sheet No
	3D-1

3D MASSING

1 **ENTRY OVERVIEW**
Scale = N/A

2 **NORTH-WEST CONTEXT**
Scale = N/A

3 **SOUTH-EAST CONTEXT**
Scale = N/A

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Issued For	Date	Issued For	Date
DP APPLICATION	Oct 15, 2018		
ADP SUBMISSION	DEC 21th, 2018		
REVISED RMOW comments/ADP	MAY 02, 2019		
REVISED RMOW comments/ADP	JULY 15, 2019		

Sheet Title
3D MASSING
Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

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Drawn By	Scale
BM/DK	N/A
Project No.	Sheet No.
	3D-2

3D MASSING

1 **KNOLL / LANDSCAPE TERRACE**
Scale = N/A

2 **KNOLL / LANDSCAPE - LOUNGE TERRACE**
Scale = N/A

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Issued For	Date	Issued For	Date
DP APPLICATION	Oct 15, 2018		
ADP SUBMISSION	DEC 21th 2018		
REVISED: RMOW comments/ADP	MAY 02, 2019		
REVISED: RMOW comments/ADP	JULY 15, 2019		

Sheet Title
3D MASSING
Project
WHISTLER SPORT LEGACIES
1315 CLOUDBURST DRIVE

Sealed By

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Drawn By	Scale
BM/DK	N/A
Project No.	Sheet No.
	3D-3

3D MASSING

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-121
FROM:	Infrastructure Services	**FILE:**	546
SUBJECT:	WHISTLER TRANSIT SYSTEM ANNUAL OPERATING AGREEMENT EFFECTIVE APRIL 1, 2019		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Infrastructure Services be endorsed.

RECOMMENDATION

That Council authorize the Mayor and Municipal Clerk to execute the "2019-2020 Whistler Transit System Annual Operating Agreement – Effective April 1, 2019" for the period April 1, 2019 through March 31, 2020 attached as Appendix "A" to Administrative Report to Council No. 19-121.

REFERENCES

Appendix "A" – Whistler Annual Operating Agreement Effective April 1, 2019
Appendix "B" – Term Sheet

PURPOSE OF REPORT

The purpose of this Report is to present and seek Council approval for the attached 2019-2020 Annual Operating Agreement between British Columbia (BC) Transit, and the Resort Municipality of Whistler (RMOW) for the operation of the Whistler Transit System from April 1, 2019 to March 31, 2020.

DISCUSSION

Background

The Whistler Transit System is operated under agreements between BC Transit and the RMOW, and a separate agreement between BC Transit and the contracted operating company, Whistler Transit Ltd. (a wholly owned subsidiary of Pacific Western Transportation) through the BC Transit Regional Transit Systems program. The Whistler Transit System Annual Operating Agreement (AOA) formalizes the contract between BC Transit and the local government from April 1 through March 31 annually. It establishes the projected budget for the local Whistler Transit System, as summarized in Appendix "B", as well as defines hours of operation, revenues, costs, leasing payments, and BC Transit's financial contribution for the defined term.

Annual Operating Agreement (AOA)

This 2019/2020 AOA is for up to 72,300 annual service hours which includes the first phase of the 2019/2020 expansion hours that were outlined and presented to Council at the July 24, 2018 Council meeting when the Expansion Memorandum of Understanding (MOU) 2019-2022 was endorsed. The second phase of the expansion is currently being planned for inclusion in the 2019/2020 winter schedule and will be brought back to Council as an AOA amendment once the scheduling process has been finalized.

The phase two expansion hours and buses are used in the winter 2019/2020 schedule to:

- Start full winter service a week earlier than last year; and
- Increase the Route 10-Valley Express schedule which is designed to connect residents that live north and south of the Village to employment and recreation areas south and north of the Village.

Route 10-Valley Express Update

The 10-Valley Express was introduced on December 15, 2018 as a new route in the Whistler Transit System for a one-year pilot project. On May 14, 2019 Council received the 10-Valley Express Post Implementation Review.

RMOW and BC Transit staff are working with the Ministry of Highways and Infrastructure staff to convert the four temporary Highway 99 bus stop locations at Whistler Village and Whistler Creekside to permanent 10-Valley Express stops by winter as well as improve access to the Village by considering adding 10-Valley Express bus stops on Highway 99 at Lorimer Road. Also, as part of the 2019/2020 winter scheduling process, additional trips have been strategically added to the route 10-Valley Express, expanding service until 12:00 noon.

As part of the fall work plan, TMAC will review the performance of the 10-Valley Express over spring/summer/fall 2019 and make recommendations for implementation during the 2020 schedule process. It is also recommended that as part of the upcoming Transit Future Action Plan review commencing winter 2019/2020, there should be consideration toward optimizing the 20's and 30's in conjunction with continued expansion of the route 10 schedule based on future operational planning.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Transportation	The transportation system efficiently meets both the short and long-term needs of all users. The convenience and seamlessness of the preferred transportation system to, from and within Whistler ensures usage rates continue to rise.	Transportation congestion to, from and within Whistler is an issue both in the winter and in the summer. Transportation infrastructure and policy affect almost all parts of the resort community. The Transportation Advisory Group, which is composed of a group of diverse stakeholders including BC Transit, has
Partnership	Partners work together to achieve mutual benefit. Whistler partners and stakeholder work together to effectively and	

	efficiently achieve Whistler 2020 and partner objectives.	been reviewing the transportation issues as well as data collected related the current issues and has recommended implementation of short-term and medium-term actions. The expanded transit service is moving Whistler toward the goal of improving transportation for everyone – residents, employees and visitors. It was also recommended that the cost of the expanded transit service be off-set by parking fees.
Finance	The long-term consequences of decisions are carefully considered. Whistler lives within its financial means.	
Resident Affordability	Residents have access to affordable goods and services that meet their needs.	

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Finance	Whistler lives within its financial means.	The Transportation Advisory Group Whistler Transportation Action Plan 2018-2028 endorsed by Council authorized utilizing the Community Transportation Initiative Fund, generated from user pay parking in Day Lots 1-5, with the approval of the Day Lot Operating Committee to offset the cost of the increased transit service.

OTHER POLICY CONSIDERATIONS

The 2019/2020 Whistler Transit System service is guided by the Sea-to-Sky Transit Future Plan (December 2015) the 1-Valley Connector Review (July 2017), the Route 10 Valley Express Post Implementation Review (April 2019) and the existing Official Community Plan as well as the TAG Vision, Goals, short-term and medium-term Transportation Action Plans.

BUDGET CONSIDERATIONS

The Whistler Transit System AOA costs from April 1, 2019 to March 31, 2020 are summarized in Appendix “B” and are accommodated in the 2019 RMOW budget for transit service. January, February and March 2020 costs are being included in the draft 2020 municipal transit operating budget. BC Transit’s fiscal year starts on April 1, while the municipality’s starts on January 1, so there is a difference between the municipal annual budget and the AOA budget summarized in Appendix “B”.

It is important to note that a portion of the municipal share of costs associated with expansions since July 2017 (and the associated additional vehicles) to the Whistler Transit System as well as the cost associated with the reduction in the monthly pass price from $65 to $50 is part of the Community Transportation Initiative (CTI) funding approved on June 6, 2017 as part of the Whistler 2017 Transportation Action Plan outlined in Administrative Report to Council No. 17-062. This funding from the CTI, generated from user pay parking in Day Lots 1-5, has also been approved by the Day Lot Operating Committee.

The RMOW’s net funding obligation is $4,093,568 for the 2019/2020 AOA. This amount is accommodated within the approved 2019 and proposed 2020 municipal budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

The 2019/2020 Whistler Transit System AOA reflects the implementation of the Transportation Advisory Group Whistler Transportation Action Plan 2018-2028 (endorsed by Council on October 2, 2018). This plan was developed through an extensive open process involving the Transportation Advisory Group (TAG) working through materials and potential actions and bringing forward potential ideas to the community through surveys, the Transportation Forums, many presentations to Council and to stakeholders from 2016 to 2018. All material related to the TAG's work is posted on www.whistler.ca/MovingWhistler.

The development, implementation and refinement of the Route 10-Valley Express was conducted in a parallel process led by BC Transit and summarized in Council Report No. 17-085, No. 18-096 and No. 19-069 endorsed by Council on July 18, 2017, July 24, 2018 and May 14, 2919 respectively.

SUMMARY

The Whistler Annual Operating Agreement (AOA) between the Resort Municipality of Whistler and British Columbia (BC) Transit Effective April 1, 2019 attached as Appendix "A" establishes the projected budget for the local Whistler Transit System, as summarized in Appendix "B", as well as defines hours of operation, revenues, costs, leasing costs, and BC Transit's financial contribution for the defined term. The RMOW's funding obligation contained within this AOA is accommodated within the approved 2019 municipal budget and proposed 2020 municipal budgets which include contributions from the Community Transportation Initiative fund.

Council is requested to authorize the Mayor and Municipal Clerk to execute the 2019-2020 Whistler Transit System Annual Operating Agreement (AOA) for the term April 1, 2019 to March 31, 2020.

Respectfully submitted,

Emma DalSanto
TRANSPORTATION DEMAND MANAGEMENT COORDINATOR

for
James Hallisey, P. Eng.
GENERAL MANAGER OF INFRASTRUCTURE SERVICES

APPENDIX A

Whistler

ANNUAL OPERATING AGREEMENT

between

THE RESORT MUNICIPALITY OF WHISTLER

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2019

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

ANNUAL OPERATING AGREEMENT

BETWEEN:

THE RESORT MUNICIPALITY OF WHISTLER

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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SECTION 2: INCORPORATION OF SCHEDULES 4
SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT 4
SECTION 4: TERM AND RENEWAL 4
SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT 4
SECTION 6: SETTLEMENT OF DISPUTES 5
SECTION 7: MISCELLANEOUS PROVISIONS 5
SECTION 8: GOVERNING LAW 6
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SECTION 1: DEFINITIONS

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
b) "Transit Service Agreement" shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

a) The parties agree that the effective date of this agreement is to be April 1, 2019 whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2020 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
c) Either party may terminate this agreement as follows:
    a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.
    b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to

the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
d) Operating Reserve Fund: In accordance with OIC 594, in fiscal year 2015/16, BC Transit established a Reserve Fund to record, for each local government, the contributions that BC Transit has received but has not yet earned.
    a. BC Transit will invoice and collect on monthly Municipal invoices based on budgeted Eligible Expenses.
    b. Any expenditure of monies from the Reserve Fund will only be credited towards Eligible Expenses for the location for which it was collected.
    c. Eligible Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:
        i. For Conventional Transit Service:
            1. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
            2. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
            3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
            4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
        ii. For Custom Transit Service:
            1. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by BC Transit to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
            2. the amount of any operating lease costs incurred by BC Transit for Custom Transit Service;

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;

d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.

e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: GOVERNING LAW

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

SECTION 9: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 10: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

BRITISH COLUMBIA TRANSIT
c/o President & CEO
P.O. Box 610
520 Gorge Road East
Victoria, British Columbia V8W 2P3

and to the Municipality at:

THE RESORT MUNICIPALITY OF WHISTLER
c/o General Manager Infrastructure Services
4325 Blackcomb Way
Whistler, BC V0N 1B4

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this ___ day of _____, 20____.

THE RESORT MUNICIPALITY OF WHISTLER

_____

_____

BRITISH COLUMBIA TRANSIT

_____
Errin Pinkerton, Chief Executive Officer

_____
Chief Financial Officer

SCHEDULE "A": TARIFF AND FARES

WHISTLER CONVENTIONAL TRANSIT

a) Fare Free Zone:
A fare free zone will be comprised of the Village Shuttle route. This route includes passengers boarding and alighting at Gondola Transit Exchange, Blackcomb Way, Village Gate Boulevard, Northlands Boulevard, Lorimer Road (east of Highway 99), Spearhead Road and Painted Cliff Road. Any passengers travelling onto or west of Highway 99 pay regular fare.

b) Single Cash Fares:

i)	Adult	$2.50
ii)	Concession	$2.50
iii)	Child 5 years and under	Free (when accompanied by an adult)
iv)	Accessible Transit Attendant	Free

d) **Prepaid fares**

Effective July 1, 2017

	Adult	Concession
1 Day pass	$7.00	$7.00
Book of 10 Tickets	$22.50	$18.00
Monthly Pass	$50.00	$40.00
6 Month Pass	$270.00	$216.00
12 Month Pass	$510.00	$410.00

d) BC Bus Pass valid for the current calendar year and available through the Ministry of Housing and Social Development.

e) CNIB Pass available from the local office of the CNIB.

f) BC Transit Employee Bus Pass

SCHEDULE "B": SERVICE SPECIFICATIONS

Whistler Conventional

Transit Service Area: The boundaries of the Whistler Transit Service Area shall be the corporate boundaries of the Resort Municipality of Whistler.

Annual Service Level: for Whistler Conventional shall be **72,300** Revenue Service Hours.

Exception Days annually for the Whistler Conventional are:

Exception Days	**Service Level**
Easter Monday	Sunday Service
Victoria Day	Sunday Service
Canada Day	Sunday Service
BC Day	Sunday Service
Labour Day	Sunday Service
Thanksgiving Day	Sunday Service
Remembrance Day	Sunday Service
Christmas Day	Sunday Service
Boxing Day	Sunday Service
New Years Day	Sunday Service
Martin L King Day	Sunday Service
Family Day	Sunday Service

SCHEDULE "C": BUDGET

WHISTLER CONVENTIONAL

	OFFICIAL AOA 2019/20
TOTAL REVENUE	$2,818,704
TOTAL OPERATING COSTS	$9,791,863
TOTAL COSTS (including Local Government Share of Lease Fees)	$11,645,348
NET LOCAL GOVERNMENT SHARE OF COSTS	**$4,093,568**

APPENDIX B

TERM SHEET:	**APRIL 1, 2019 to March 31, 2020** **WHISTLER ANNUAL OPERATING AGREEMENT** **Effective April 1, 2019**
Parties:	BC Transit and the Resort Municipality of Whistler
Term:	April 1, 2019 to March 31, 2020 for the Whistler Transit System.
Description:	This agreement establishes the level of transit service, costs and maintenance of the Whistler Transit System. In particular, costs such as the variable hourly rate and the cost per kilometre are specified by the agreement. The amendment to the agreement updates the level of transit service to include phase two of the approved expansion hours which affects the total cost.
Costs:	The total maximum annual cost of the Whistler Transit System will be $11,645,348, an increase of $127,356 from the 2018/2019. The BC Transit contribution will be $4,571,824*. The total budgeted system revenue and local administration/operating credit are $2,979,956 resulting in a net municipal share of costs of $4,093,568.

*Does not include BC Transit share of Lease Fees.

WHISTLER

REPORT | ADMINISTRATION REPORT TO COUNCIL

PRESENTED:	September 17, 2019	**REPORT:**	19-122
FROM:	Infrastructure Services	**FILE:**	600
SUBJECT:	SOLID WASTE MANAGEMENT PROGRAM UPDATE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Infrastructure Services be endorsed.

RECOMMENDATION

That Council receive Administration Report No. 19-122 regarding an update to the municipal Solid Waste Management Program, and;

That Council direct staff to proceed with the development of a Single-Use Plastic Reduction program in partnership with other SLRD communities; and further

That Council supports and wishes to join the submission from the Districts of Squamish and Tofino in response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the Recycling Regulation of the *Environmental Management Act.*

REFERENCES

Appendix "A" – Introductory Letter and Joint Submission Letter

PURPOSE OF REPORT

The purpose of this Report is to provide an update on the municipal solid waste program, trends in local waste management, and Whistler's position relative to established provincial targets. In addition, this Report is requesting Council's direction to authorize municipal staff to work with other communities in the Squamish-Lillooet Regional District (SLRD) to develop a Single-Use Plastic Reduction program as part of the municipalities' solid waste management program, and that council resolves to adopt a resolution to have the Mayor of Whistler sign on behalf of the community a letter to the Province requesting positive change to the current Recycling Regulation.

DISCUSSION

Background

British Columbia's *Environmental Management Act* requires every Regional District to develop and maintain a plan to manage solid waste. The (SLRD) developed the Solid Waste Resource Management Plan (SWRMP) that waste managers residing within their boundary must comply with. The latest version of the SWRMP was recently adopted by the Province of BC and the plan continues to highlight initiatives to keep waste out of the Landfill. The SWRMP plan sets criteria and priorities to reduce waste through behavior change and provides guidance on how stakeholders should approach the

management of collection, handling, and storage of waste destine for either recycling or final disposal in the landfill.

In addition to the SLRD plan, Whistler's council adopted a Solid Waste Strategy (SWS) to guide waste management decisions such as reducing disposal costs through incentivising diversion and funding capital improvement through revenues generated directly from waste tip fees rather than general tax revenues. The SLRD SWRMP and the RMOW SWS outlines actions that will move our community to generating less waste and identify further opportunities for reuse or recycling instead of simply sending waste to the landfill.

Whistler is comprised of a year round or part time local population that live in single family homes, multi-unit strata, cooperative developments and short term accommodation developments. Waste is also generated by businesses that service this population, sometimes referred to as the Industrial, Commercial and Institutional (ICI) sector; manufacturing, retail, restaurants, hotels, health clinics and schools.

Due to a risk of conflict between wildlife and waste, the challenges with winter snow clearing, and the many seasonally occupied homes, the municipality of Whistler has decided to not provide curbside collection to service single family homes but instead provides drive up depots located in the Nesters and Function Junction neighbourhoods and a waste transfer station located in the Callaghan valley south of Whistler village.

Infrastructure

The RMOW operates four sites; two residential depots located in the Nesters and Function Junction neighbourhoods, a larger solid waste handling facility or Waste Transfer Station (WTS) and the Whistler Composter Facility (WCF) both located in the Callaghan valley, The WTS receives both residential and commercial waste from within the SLRD. The WCF adjacent to the transfer station operates as an "in vessel" composting system to process a bio solids from the RMOW, the District of Squamish (DOS) and the Village of Pemberton (VOP) waste water treatment facilities. The transfer station is open to the general public. They pay for their waste disposal directly at a prescribed tip fee set by the municipality. Only residents permitted to use the depots as per a municipal solid waste bylaw and pay the annual solid waste fee can dispose of their landfill waste and recycling at the depot.

Drive up Depots

The municipality owns and operates two residential recycling and landfill disposal depots. A newly constructed depot located on Nesters road, now known as “Nesters Exchange” opened in 2017 adjacent to the previous depot site. The Nesters location primarily services the centre-north areas of Whistler, centralized for residents that do not own vehicles to access. The second depot is located in Function Junction to service the southern end of the community. Similar recycling and landfill disposal options are offered at both sites. The Function site also has a Sani Dump system maintained by the municipality for RV’s to dispose of their septage waste as a free service to visitors of Whistler.

Whistler Transfer Station (WTS)

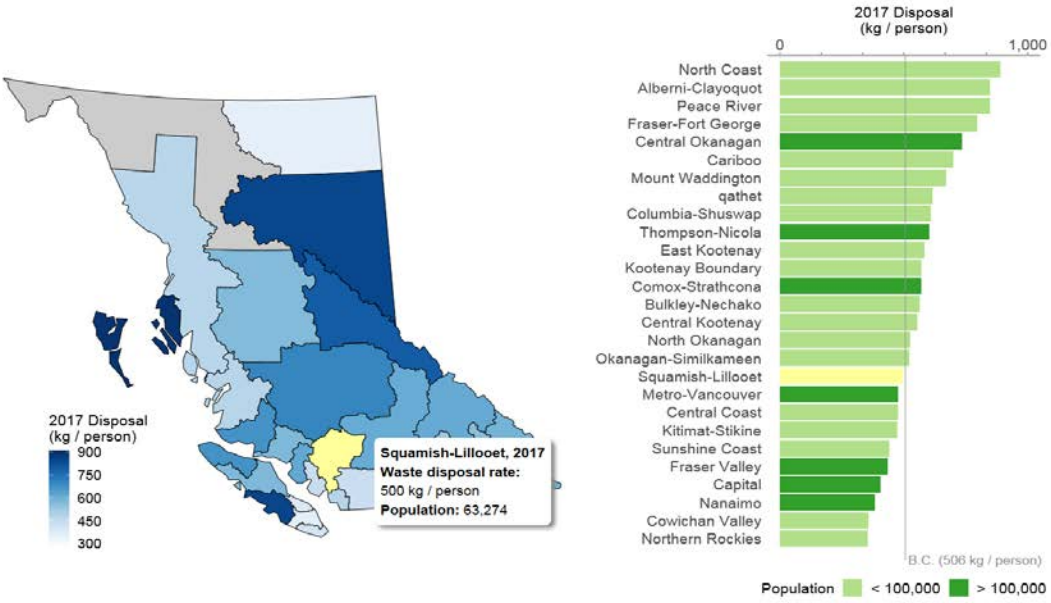
As a result of the local landfill closing in 2005 a WTS was constructed in the Callaghan Valley south of Whistler to receive waste and recycling from both the residential and ICI sector. Transfer Station operations are managed by GFL (formerly Carney’s Waste Systems) collecting waste and tip fees on behalf of the municipality.

Whistler Compost Facility (WCF)

As with the TS the WCF was constructed due to the closure of the Whistler landfill. The WCF is located adjacent to the WTS and composts biosolids and some food waste from RMOW and from other communities within the SLRD. The system is an enclosed or in-vessel system that operates in cold snowy climates to process high quality compost used as a soil improvement for landscaping project within the SLRD.

Current State Recent Progress

The state of the municipal solid waste program is a reflection of the current and future waste management needs for the community. According to the Province of British Columbia website, in 2017 British Columbians disposed of 506kg of municipal solid waste per person. In that same period the SLRD disposal rate was slightly lower at 500kg of waste per person and Whistler disposal rate was approximately 23 per cent lower at 386kg per person. In 2018 the disposal rate was 389kg per person.



Disposal Rates in British Columbia (1990-2017)

2017 Population: **4,854,631** 2017 Disposal Rate: **506 kg/person**

As a first step to meet or exceed provinicial disposal targets of 350kg per person, residents and visitors need to know how waste is generated by the community. Then understand where it is disposed and what steps should be considered to reduce that amount. Deciding not to purchase something unless you really need it creates less waste in the first place and projects less cost onto the municipality to dispose of that waste. Secondly, disposing of waste into separate waste streams at the waste disposal centres must be easy so that residents, visitors and commerical groups can easily understand how to participate and reduce the amount of effort required to process the material after its collected. Thirdly, to remove the cost burden to taxpayers, government policy must ensure that all products being sold in Canada and in BC are part of an Extended Producer Responsibilty (EPR) program. EPR pushes waste handling costs back to the companies that produce or sell the products and packaging in the first place. Many products are sold in Canada having no process to capture and return the product or its packaging back to be recycled into something else. This results in that waste going to landfill.
Whistler's municipal waste management program consists of two primary areas of resposibility: to lead and participate in the education of residents and visitors on what they can do to reduce the amount of waste they generate and to manage the facilities neeeded to receive and dispose of waste generated by the community.

Many residents living in Whistler are passionate about recycling which leads to good participation at the waste depots but more effort is needed to invite others to reduce the amount of waste they generate such as seasonal multi-unit residential and ICI groups. Prior to the 2017 adoption of the new solid waste bylaw (Solid Waste Bylaw 2139, 2017) the municipality and the environmental group Area Residents for the Environment (AWARE) reached out to the ICI waste generators to understand some of the challenges they face in managing their waste, in particular if recyclables were banned from being

disposed of into the landfill waste. That outreach lead to developing residential and ICI/multi-unit food scrap reduction educational material to assist in improving participation. Information was assembled in the form of workbooks, referred to as “toolkits”. These toolkits provide detailed information on how to develop or review a waste management plan, how to identify opportunities to reduce waste and how to promote waste reduction and diversion where they live and work. Workshops were held to invite property managers, residents and hotel staff to discuss the material and to provide feedback on how to make the material better. The toolkits also promote consistency in collection room signage. Proofs were developed and shared online to ensure the format was consistent with other communities even outside the SLRD. A standard has been established between Vancouver and Lillooet to provide consistent messaging on how to properly dispose of your waste. A pilot study was completed by AWARE in short term accommodation properties to confirm that the format was correct.

Depots

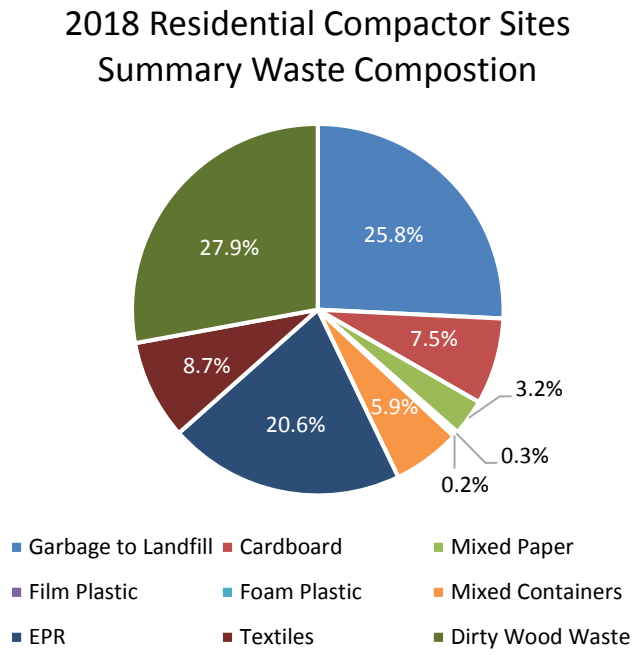
Two collection depots, one located on Nesters Road and the other located in Function Junction receives residential waste seven days a week. Feedback on the new Nesters Depot has been well received with a depot layout that is configured for easy use by first time users. The sites were designed for short duration stays where residents can back in and sort their recycling under cover and out of the weather. The depots receives landfill waste, recyclables, food scrap organics, and yard waste. Scrap metal can be dropped off for disposal at the Nesters location. Compactor bins are used at the depots to compress material reducing the amount of transportation required to transport the waste for disposal. Sensors were installed in the compactor bins to notify the hauler when the bin is full and to schedule a pick up.

The municipality has an agreement with Recycle BC EPR program that requires the depots to have trained attendant’s onsite during operational hours to help residents dispose of their plastic and paper packaging waste into the correct bins minimizing contamination that can reduce the value of the material. Contamination can also lead to a full load being rejected by RecycleBC which would turn a revenue from the sale of the recyclable into an expense for the municipality to dispose of that waste.

The Nesters depot also shares space with the bottle depot that accepts other EPR materials such as refundable containers, old electronics and hazardous household wastes. Next door to the depot Whistler Community Services Society (WCSS) constructed a new building that contains the

organizations administration, the community food bank, social service program and a reuse it centre where lightly worn donated goods are collected and resold to provide revenue towards their programs. An additional benefit to the community is that the WCSS programs extend the life of products keeping that material out of the landfill. Challenges still exist for residents that live in single family homes and their tennants living in connected suites that do not have access to a car. BC Transit has officially announced that they will permit waste to be brought onto buses provided that the waste is enclosed, sealed from leaks and can sit on the riders lap during transport to the depot. Having the Nesters Exchange centrally located within one bus stop, is an example of the change required to improve waste disposal in the community without significant direct cost implications.

Revenues to operate the depot site pay for site attendant labour, maintenance, utility costs and snow clearing services. The source of revenue is an annual fee paid by single family homes, multiunit strata's that have less than 12 units and monies received from the RecycleBC program through the sale of recyclables collected at the depot. 2018 RecycleBC revenues from residential recyclables collected at the two depots amounted to $98,000.00. Yard waste collected at the depots is paid for by the compost facility program as it is a benefit to the compost process. To keep yard waste out of the landfill and to provide a feedstock to the compost facility, the yard waste collection program has expanded its service from spring through to the fall months.



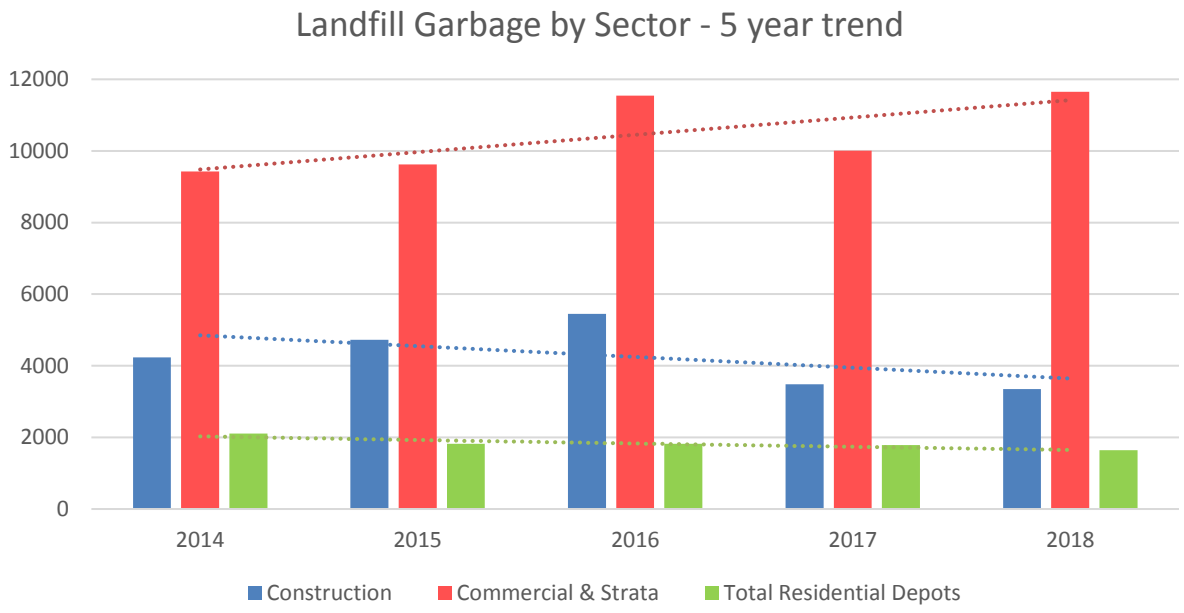
Multi-unit strata

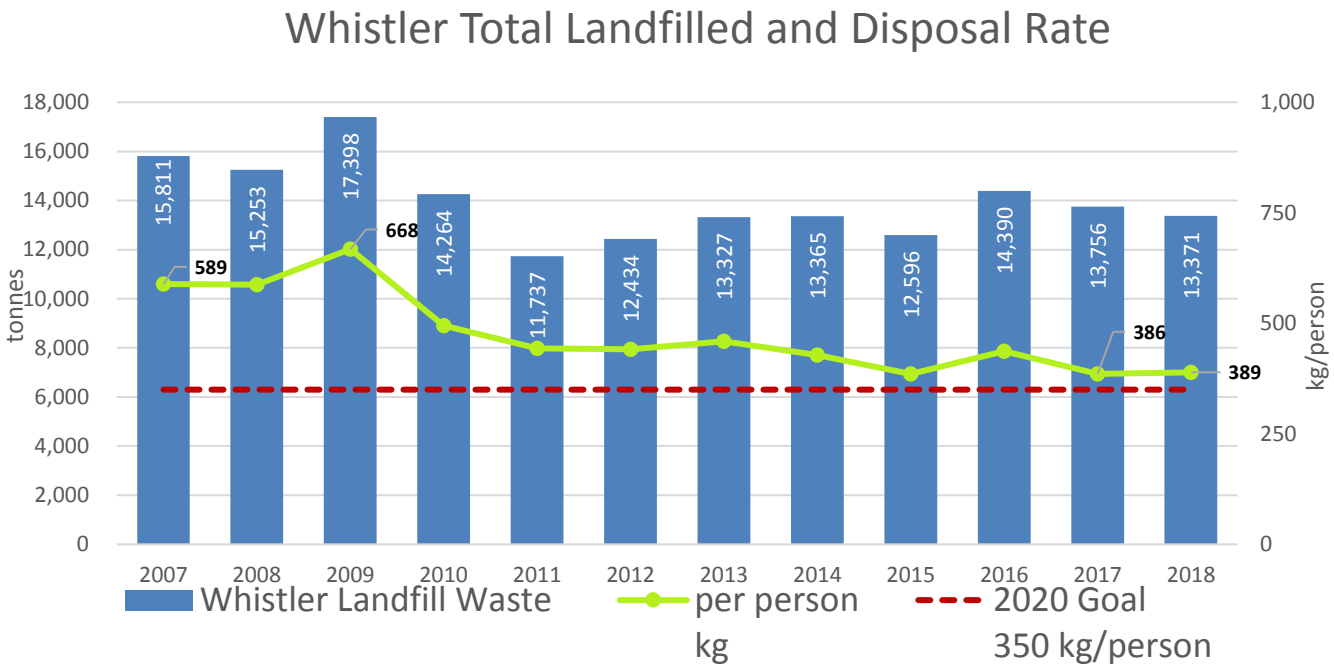
Private multifamily strata properties also participate in the RecycleBC EPR stewardship program. The multiunit collection program is outside the scope of operation for the municipality. Contracts for collection are managed by the Strata with RecycleBC and a third party contract waste hauler.

Waste Transfer Station (WTS)

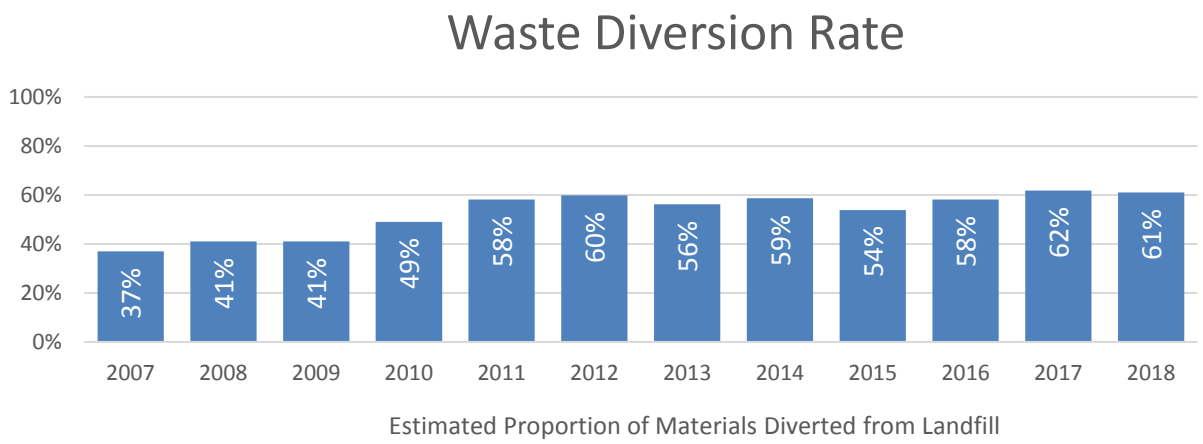
The WTS operates 363 days a year to service the community. The facility receives ICI and residential waste from the community and from the Village of Pemberton. Municipal bylaws do not ban waste being brought into the WTS from other areas. Waste is hauled by residents or by commercial waste haulers that have contracts with commercial, residential strata or cooperative properties. Waste is weighed upon arrival on electric truck scales and categorized by the type of waste being disposed.

Vehicles are weighed as they enter and exit the site to determine the weight of the waste left behind. Sometime several trips across the scale are necessary to determine the weight of different waste types left for disposal. The fee paid by vehicles is determined by the amount and type of waste delivered and whether the different types of waste have been properly sorted or not. Ideally, recyclables such as; appliances, metals, mattresses, paper, plastic containers, EPR paints and solvents, batteries, drywall, vehicle tires and Polystyrene foam are separated by the people prior to arriving at the WTS. The busyness of the community as well as regulatory changes have an effect on the amounts and waste type received at the WTS. Disposal information is reported monthly by the contractor to the RMOW for tracking and billing purposes. Staff also review the information and discuss what solutions are potentially available to improve the disposal level of service to the community. Recyclables received at the WTS are sorted by the operator when possible to reduce the amount of residual waste landfilled. Due to a lack of EPR for commercial waste, to reduce costs, the municipality provides an incentive for the WTS operator by permitting them to keep any recyclables they can collect and separate out from the landfill waste. Since the value of recyclables is dropping more consultation to bring commercial waste to an EPR programs must be promoted. Plastic and paper recycling is transported to Squamish where it is bailed by GFL for resale through a private broker system. Landfill waste is densified then loaded into containers to be shipped first by truck then by rail to Washington State for final disposal.



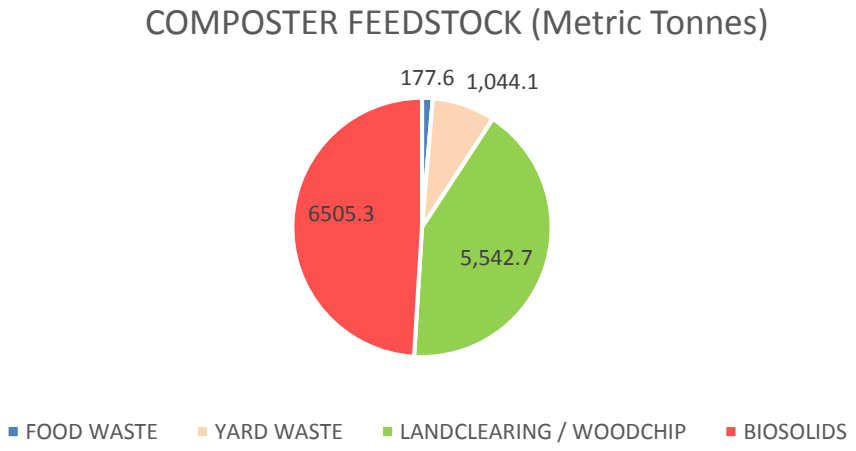


The data collected at the WTS reflects the amounts from people that drive up and dispose of their waste directly or from private waste haulers delivering waste from multi-family and ICI properties. Since 2014 the amount of construction and demolition waste and the amount of residential waste coming into the WTS have been trending down while the amount of waste from the commercial or ICI sector has be increasing. Annual diversion rates are calculated by dividing the total amount of waste diverted from landfill by the total amount collected in a year. Although most of the waste generated in Whistler is managed through the transfer station and tracked, some waste is collected and handled without interfacing with a municipal facility, instead transported directly to the lower mainland for disposal. The amount of this material is unknown and staff are making contact with these groups to ask for disposal information to be shared making the collection data more complete.



Whistler Compost Facility (WCF)

The Whistler compost facility composts biosolids produced from wastewater treatment facilities located within the SLRD but can also compost food scrap organics. Periodically during the busy times of the year the process lacks the required capacity to handle all the waste generated and some material needs to be redirected to another facility. At this time only small amounts of food scraps collected in SLRD end up at the WCF as most of it is processed at a privately owned facility located between Whistler and Pemberton.



The facility receives chipped wood waste from Yard Waste Collection, FireSmart and CCF fuel thinning programs to use in the composting process. Historically some of the required wood feedstock was imported from Squamish. Only a small amount of food scraps generated by the community of Whistler are accepted at Whistler facility with the majority being directed to a private compost facility located south of Pemberton. Municipal staff are working with the WCF operator to improve the process to ensure year round capacity.

Recently grant funding was received for the construction of a wood chip storage building designed to keep woodchips dry resulting in a positive effect on the compost process. Funding was also provided to design and construct a ventilation system that captures heat from the process and use it to provide space heat for employee workstations.

A new five-year operating contract for the Compost Facility was executed this year with GFL. The new contract immediately reduced processing costs by 5 per cent and allows the flexibility required for staff to continue working with GFL and find solutions to further reduce municipal costs.

Streetscape Collection

Streetscape bin collection is provided by the municipal Parks Department. Staff and private contractors sort and dispose of waste generate by this collection system. Historically contamination from bins located along the village stroll and in municipal parks has been unacceptably high, resulting in a significant effort by staff to prepare the recycled material or risk the recyclables being disposed of into the landfill. Streetscape collection should be part of the RecycleBC program but that EPR has not committed to incorporating streetscape into their program. Work is ongoing by staff to evaluate and possibly expand the system to collect compostable material and to improve bin signage. Quick visual cues are need to reduce contamination and increase the capture rate of materials at each bin, further reducing handling costs.

Next Steps

To reduce the amount of packaging handled by communities the Federal government has announced that they are planning to ban single use plastics as early as 2021. Plastics such as point of sale plastic bags, straws, cutlery and stir sticks could be targeted to eliminate the chance of this material entering the enviroment. This is a first step to reduce the amount of waste that is being sent to the landfill. Subsequent to the Federal announcement the Province of BC, through its CleanBC program is presently seeking feedback on how to advance a Plastics Action Plan. Feedback will be used to develop amenments to the Recycling Regulation which could include banning certain products or earmark specific products that places additional responsibility on the manufacturer and distributor. Staff have been working with other local government staff in the SLRD to ensure a coordinated response to the province is made; in addressing the challenges each community is facing when it comes to effective waste disposal. Staff continue to monitor other jurisdictions in BC and noting the actions they are taking in regards to single use plastic waste reduction.

This summer a waste composition study was conducted at the WTS to identify the types and amounts of plastics being disposed of as residual waste. The results of the study are not yet received but should help staff determine how the community could target the reduction of residual waste disposed of in the landfill.

In 2019 a New Solid Waste Technician (SWT) was brought on to work with the municipality on a contract basis to execute the SLRD Solid Waste Communications plan capitalizing on opportunities to leverage partnerships in the community, moving on reduction initiatives. Partners would include Bear Smart, Whistler Blackcomb Operations, Chamber Spirit Pass Program, Welcome Week, Whistler Survival Kit, Envirofest, Pitch in Day that others that highlight the positive aspects of waste diversion. The SWT will also continue to collect and track data on waste received at RMOW facilities and by other third party waste handlers. The RMOW collects disposal data from the Depot and Transfer Station Operators and from other waste collectors in Whistler such as Whistler Community Services Society and the refundable bottle depot operating out of the Nesters depot. Since there is no full time Solid Waste coordinator on staff, this position is very important to effectively promoting solid waste reduction programs. The SWT also tracks the information required to make informed waste management decisions; to research new initiatives such as a pay as you throw system for the depots and disposal ban opportunities, both important for driving down the amounts of landfill waste disposed at those collection sites.

Building off of other Streetscape audits, in 2020 the parks department will begin a pilot study inside municipal parks to include compostable collection. Sites will be set up and bins audited for a period of time to measure the effectiveness of different types of messaging. Contamination will be monitored to determine design success which may lead to the rebranding of all Streetscape bins managed by the municipality.

In 2019 staff are planning to bring before council a Terms of Reference for a new Solid Waste Committee of Council that will be used as a tool to engage stakeholders in finding solutions for waste management challenges in Whistler. The committee will consist of member(s) of council, municipal staff and members of the community.

Historically national waste disposal data has not been adequately collected. To help change that, in 2019 the municipality of Whistler began participating in a National Solid Waste Benchmarking Initiative (NSWBI) to determine how Whistler compares to other communities in Canada. Although Whistler is a unique tourism based community this participation will help staff learn from the experiences of other communities across Canada, allowing insight to drive program innovation.

In part of an annual program budget review tipping fee rates are evaluated to determine whether the fees are set at an appropriate level to mitigate illegal dumping and mitigate unnecessary transportation of waste through the corridor.

WHISTLER 2020 ANALYSIS

W20200 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Materials and Solid Waste	The resort community is "closing the loop" by providing appropriate and convenient opportunities for reducing, reusing and recycling materials.	The municipality continues to work with the community to support waste reduction.
Materials and Solid Waste	The community is committed to providing infrastructure capable of continually decreasing our residual waste.	If recycling is required municipal facilities have been provided to support waste collection and diversion from landfill.
Materials and Solid Waste	Local businesses, residents and visitors are knowledgeable about material flows, and demonstrate a strong ethic of responsibility and stewardship towards resources and materials.	Even prior to the new solid waste bylaw adoption, municipal staff have been out in the community to further understand the challenges faced when it comes to waste management. Municipal policy has been amended and will continue to be reviewed to remove obstructions and provide a positive waste management experience.
Materials and Solid Waste	Substances and chemicals that are harmful to human health are being eliminated, replaced, or managed in a way that they do not disperse in nature.	Increasing the capture rate of any waste that has historically been improperly disposed of protects the community,
Health and Social	Whistler Organizations and stakeholders work together to meet the health and social needs of community members and visitors.	To work with community stakeholders and other communities to reduce the amount of waste generated for disposal.

OTHER POLICY CONSIDERATIONS

Policy decisions from Federal and Provincial and other local governments in the SLRD will drive Whistler's waste management program planning decisions especially around single use plastics.

BUDGET CONSIDERATIONS

Waste Collection Depots

Depots are funded by single family homes and small strata properties that contain fewer than 12 units (Solid Waste Bylaw 2139, 2017). Revenues are collected through a depot operations fee that is issued to residents through annual tax notices. The depots collect recycling for the RecycleBC Extended Producer Responsibility (EPR) program where most costs are covered by the EPR program. A condition of the contract with RecycleBC is to provide a secured site with limited operating hours and attendants to assist residents with waste disposal and to monitor the types of waste being disposed to minimize contamination. Although the Recycle BC program issues payments for the recyclables collected and for education and administration costs, the revenues received do not cover the full cost of the program, mainly due to the cost of the attendant services. Other costs associated with the depots are Landfill waste disposal, Yard waste disposal, Metal recycling and site servicing such as snow clearing which is a significant cost in the winter.

Waste Transfer Station

The Transfer Station is funded through tipping fees generated from material received by the Residential and Commercial sectors. Material is received by both private residential drive up and commercial haulers. The Transfer Station operating contractor provides staff and equipment to operate the facility and is paid for every metric tonne of solid waste received and handled.

The landfill residual material received is compacted onsite. Increase to landfill disposal rates in 2017 + 18 per cent and up to 30 per cent for transportation of heavier loads + annual CPI increases.

Compost Facility

The Compost Facility is also funded through tipping fees paid on Biosolids, wood waste and food scraps received at the Facility. The majority of this revenue comes from the Biosolids delivered from the RMOW and the DOS. Future facility expansion costs will be fairly distributed across these groups and not to the general tax payer.

End date for Capital expenditures repayments from the construction of the WTS and WCF are coming due. Existing revenues that were once dedicated to paying down those loans are now being directed to solid waste program capital reserves in preparation of future improvements.

	Revenues	2018 Expense
Nesters Depot	SW Depot Ops fee $197.30 per qualified parcel	$329,116.00
Function Depot	SW Depot Ops fee $197.30 per qualified parcel	$224,625.31
Transfer Station	Disposal Tip Fees	$2,486,655.06
Compost Facility	Biosolids processing $103.73 per parcel. Tip Fees	$1,678,573.00

COMMUNITY ENGAGEMENT AND CONSULTATION

Solid Waste Technician will continue to build on existing public awareness about waste reduction and take advantage of opportunities in Whistler launching new initiatives for reducing the amount of waste the Community of Whistler generates.

SUMMARY

The RMOW waste management program is responsible for maintaining infrastructure such as depots, transfer station and a compost facility. Community outreach and education is also a key part of the program to achieve provincial waste reduction goals. Recent policy changes have resulted in reducing waste to landfill but more work is required to increase diversion and to reduce the amount of waste shipped to landfill. The SLRD Solid Waste Resource Management Plan and the RMOW Solid Waste Strategy are significant planning documents used to manage Whistlers waste disposal program. Municipal staff are committed to working with other communities in the SLRD to improve the waste disposal program to reach existing waste reduction goals and set and achieve new waste reduction targets.

Respectfully submitted,

Andrew Tucker
MANAGER OF TRANSPORTATION AND WASTE MANAGEMENT

for
Jeff Ertel
ACTING GENERAL MANAGER OF INFRASTRUCTURE SERVICES

Dear Mayors, Councillors and Regional District Board Members,

September 3, 2019

Re: Joint Local Government Submission regarding Provincial Plastics Action Plan

Municipalities and Regional Districts are often at the forefront of environmental issues that affect our citizens and local environments. As local governments who are taking steps to reduce single-use items in our communities, we write to you asking you to join us in a response to the Ministry of Environment and Climate Change Strategy's call for submissions regarding proposed amendments to the *Recycling Regulation* of the *Environmental Management Act* to address plastic waste. In this way, it is our hope that the voices of local governments will be stronger together.

In reviewing the "Plastics Action Plan Policy Consultation Paper", the following five topic areas were determined as matters requiring specific feedback from the local government sector, and they form the basis of our joint letter:

1. Prioritization of Reduction and Reuse over Recycling and Disposal
2. Clarification of Local Government Authority
3. A "Stepped" Or Phased Approach to Regulation
4. Improvement of Extended Producer Responsibility (EPR) Programs
5. Adequate Consultation (including with other Ministries)

To be clear, there is no reason why your organization cannot submit its own specific feedback to the proposals laid out in the Consultation Paper in addition to this joint submission. However, if you are in alignment with the five broad themes as outlined above, we encourage you to consider passing the following resolution at your next meeting:

> "THAT the [**insert jurisdiction**] Council/Board supports and wishes to join the submission from the Districts of Squamish and Tofino in response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the *Recycling Regulation* of the *Environmental Management Act*."

In order to jointly submit our feedback by the deadline of 4PM on September 30th, 2019, we ask that your staff please contact Elyse Goatcher-Bergmann, Manager of Corporate Services for the District of Tofino, at egoatcher-bergmann@tofino.ca by **noon on Wednesday, September 25th, 2019** in order to add your local government's name to the letter.

We understand the tight timeline for consideration of this submission, and thank you and your staff for your attention in advance. We look forward to working together on this and other important matters in the future.

Sincerely,

Karen Elliott
Mayor of Squamish

Josie Osborne
Mayor of Tofino

Ministry of Environment and Climate Change Strategy
Recycling Regulation Amendments
PO Box 9341 Stn Prov Govt
Victoria, BC V8W 9M1

Dear Minister Heyman,

September 3, 2019

Joint Local Government Response to Provincial Plastics Action Plan

As local governments who have taken steps to reduce single-use items in our communities, we write together in response to the Ministry of Environment & Climate Change Strategy's (the Ministry) call for submissions regarding proposed amendments to the *Recycling Regulation* of the *Environmental Management Act* to address plastic waste.

In reviewing the "Plastics Action Plan Policy Consultation Paper" (Consultation Paper), the following five topic areas were collectively determined as matters requiring specific feedback from the local government sector. In addition to this letter, local governments may also be submitting individual feedback relevant to their communities. We thank you for your time and consideration, and we look forward to continuing the conversation on these important matters.

1. FOCUS ON REDUCTION AND REUSE

The pollution prevention hierarchy emphasizes reduction and reuse over recycling and disposal. These priorities are also apparent in the Ministry's Consultation Paper, which discusses reducing plastic consumption through the use of Extended Producer Responsibility (EPR) programs and bans on single-use items. However, local governments feel that these programs can only be considered successful if any unintended shift to excessive consumption of damaging single use alternatives is avoided. To avoid this shift, we recommend that EPR policies be accompanied by incentives to encourage the use of sustainable, reusable options.

In addition, the Consultation Paper frames reuse in terms of recyclability, "ensuring recycled plastic is re-used effectively" through standards on recycled content. We agree that this approach can help reduce emissions and support EPR programs, but there is also an opportunity to consider reuse in terms of behaviour. We urge the Ministry to adopt a policy which supports and enables practices of reuse outside of recycling, with the ultimate goal being reduction of single-use items. This includes encouraging refillable containers (e.g. growlers, wine bottles, soap bottles, etc.), allowing patrons to bring their own container (e.g. takeout food, restaurant leftovers, bulk food shopping, etc.), enabling the right to repair (e.g. repair

cafes, requirements for the provision of spare parts and services, online publication of manuals, etc.), and promoting zero waste shopping (e.g. zero waste stores, farmers' markets, etc.). This added focus on reduction and reuse will help move the Plastics Action Plan forward in accordance with pollution prevention best practices.

2. CLARIFY LOCAL GOVERNMENT AUTHORITY

We appreciate that the Ministry has acknowledged the actions being taken by local governments to address the local impacts of single-use items in BC communities. Indeed, more than 23 communities in B.C. have been actively developing bans, fees and levies, to address single-use items. However, as noted in the Consultation Paper, the B.C. Court of Appeal ruling regarding the City of Vitoria's business licence regulation bylaw is of major concern to local governments as its implications for municipal authority to adopt bylaws under sections 8 and 9 of the *Community Charter* are potentially significant.

Until the Court of Appeal decision was issued, it has been the view of many municipalities that the nature of concurrent powers expressly described by statute in sections 8 and 9 of the *Community Charter* allowed for the regulation of unsustainable business practices. To be certain, there are numerous examples of municipal business regulations which already include one or more provisions intended to protect the environment, including imposing requirements or prohibitions on the pollution of waterways, drains and sewers.

As the Province reviews the Court of Appeal's decision, we urge the Minister to consult with the Ministry of Municipal Affairs and Housing to provide clarity on the limits and intent of the general concurrent authorities shared by local governments and the Province in relation to the protection of the natural environment, and specifically as it applies to single use items. Moreover, we request that a clear, timely and uniform process be developed for local governments who choose to act on those matters which fall under section 9(1) [*spheres of concurrent authority*] of the *Community Charter*.

3. A "STEPPED" OR PHASED APPROACH

As each local government faces unique challenges with respect to recycling and solid waste management, a one-size-fits-all provincial regulation may not meet the needs or expectations of all communities. To this end, we recommend the Minister regulate single-use plastics through a "stepped" or "phased" approach akin to the *BC Energy Step Code Regulation.* A phased approach would allow local governments to move at a pace appropriate for their communities, while also providing industry with a set of consistent targets for waste reduction and recycling across British Columbia. This flexibility is particularly important for smaller rural communities while also enabling faster action to be taken by those local governments who are ready for more ambitious, multifaceted approaches to regulating waste and single-use items. In this way, communities can adopt these regulations gradually or more quickly depending on their ability and resources. Moreover, a consistent incremental framework that raises standards would ensure that, as the recycling and packaging industries innovate, we are able to avoid the current patchwork of disparate standards in each community.

The *BC Energy Step Code* is an excellent example of collaboration between the Province, local governments, industry, and other stakeholders. We encourage the Ministry to consider a similar approach to the regulation of single-use items to encourage innovation while respecting the capacity of all municipalities.

4. IMPROVING EXTENDED PRODUCER RESPONSIBILITY (EPR)

BC is a leader in implementing EPR programs and moving ahead on its commitments to the Canadian Council of Ministers of Environment Canada-wide Action Plan on EPR. As the Ministry now has experience with these programs, it is important to foster continuous improvement, address problems that have arisen and push for programs to meet their full potential.

EPR programs are designed so that producers pay for their products' end of life management, but also so that products and packaging become better designed. The *Recycling Regulation* and the work of the Ministry have focused on collection for recycling or responsible handling, however few programs are achieving success in redesign, reduction or reuse. There needs to be a focus higher up the hierarchy, which would hold the business sector accountable. This could include exploring ways to redesign products, reduce the amount of packaging, or change the materials used. There are different ways to achieve this, including mandating differential fees based on environmental-impact or waste-creation (rather than fees set by operational costs only), implementing financial penalties for non-compliance, or requiring targets for reduction or redesign.

Another area for expansion within the EPR framework is the inclusion of industrial, commercial and institutional (ICI) materials. The main driver for participation by businesses in diversion is the cost of participation relative to disposal. As changes in global markets drive down the revenue potential of these diverted materials, and with high costs of hauling to recycling markets, the segregation and recycling of materials (e.g. plastic containers, plastic film and expanded polystyrene) are challenging to justify for many businesses. Thus, the segregated collection and diversion of materials from the ICI sector is cost prohibitive to the businesses, and in many cases is substantially subsidized by local governments and taxpayers. Inclusion of ICI materials (with a focus on packaging) into the *Recycling Regulation* would create efficiencies within the transportation network from remote communities and prevent landfilling of recyclables by the ICI sector. In this way, the expansion of regulated products captured by the *Recycling Regulation* is supported, including packaging-like products, mattresses, single-use household pressurized cylinders, and new and used gypsum drywall.

EPR programs also need to be structured to ensure that they are accountable and cover the full costs related to the product disposal. Often, many of the costs associated with the collection of EPR products are not covered by the stewardship programs, which results in fees or taxpayer subsidization of the collection, transportation, and responsible disposal of the materials (e.g. tires). In addition, local governments are subsidizing the collection and management of material that escapes the stewardship collection program (through streetscapes, litter collection, illegal dumping, etc.). On a final note, EPR programs should enhance accountability and transparency. This includes local government and public representation on boards, open access to information given to boards and to their decisions, and the inclusion of financial and material management information for all programs. These changes to EPR programs would greatly enhance their effectiveness in the reduction of plastic waste.

5. ENSURING INTERNAL AND EXTERNAL CONSULTATION

Finally, it is unclear from the Consultation Paper how and when other Ministries and impacted stakeholders will be specifically consulted. When policy tools are evaluated, it is important to consider all impacts and to ensure that viable alternatives are available. To this end, we recommend that the Ministry of Health be specifically consulted regarding potential regulatory changes to allow restaurants to fill take-out orders in reusable containers brought in by customers. This measure is integral to the implementation

of bans on single-use containers and packaging, as the City of Vancouver found that nearly 50% of all garbage collected from public waste bins consists of take-out containers and disposable cups. Compostable and recyclable packaging materials often get mixed up when discarded, contaminating both streams and making them impossible to process.

In the development of exemptions, we support evidence-based policies that have been shown to be effective at reducing waste. Moreover, disability advocates, care facilities, local governments, and other provincial agencies (such as the Ministry of Social Development and Poverty) should be specifically consulted in the development of exemptions as a means to highlight and ensure accessibility.

CONCLUSION

We appreciate the opportunity to provide comment and strongly encourage the Ministry to continue to consult with local governments in the upcoming regulatory process. In this letter, we have highlighted the need for a focus on reduction and reuse, clarification of local government authority, and further internal and external consultation. We have also made suggestions for the improvement of EPR programs and a community-led approach akin to the existing *BC Energy Step Code* adoption model. We hope that these concerns are taken into consideration and we look forward to further engagement with the Ministry.

Sincerely,

Karen Elliott
Mayor of Squamish

Josie Osborne
Mayor of Tofino

Additional signatories to be included upon final submission

RESORT MUNICIPALITY OF WHISTLER
ZONING AMENDMENT BYLAW (1315 AND 1345 CLOUDBURST DRIVE) NO. 2245, 2019

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

WHEREAS Council may, in a zoning bylaw pursuant to Sections 479 and 525 of the *Local Government Act*, 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 require the provision of parking spaces and loading spaces for uses, buildings and structures; and

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 (1315 and 1345 Cloudburst Drive) No. 2245, 2019".

2. The Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 is hereby amended as follows:

   (a) Part 11, Section 13(2) is amended by adding "employee housing" to the list of permitted uses in the AC2 Zone (Athletes' Centre Two).

   (b) Part 11, Section 14(2) is amended by adding "employee housing" to the list of permitted uses in the AC3 Zone (Athletes' Centre Three)

   (c) Part 11, Section 14(3) is amended by replacing the text with the following:

   'The maximum permitted gross floor area of all buildings is 3900 square metres, of which a maximum of 2500 square meters may be used for permitted uses other than employee housing.'

3. If any section or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST AND SECOND READINGS this __ day of _____, 2019.

GIVEN SECOND READING this __ day of _____, 2019.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this this __ day of _____, 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 “Zoning Amendment Bylaw (1315 and 1345 Cloudburst Drive) No. 2245, 2019”

Alba Banman,
Municipal Clerk

RESORT MUNICIPALITY OF WHISTLER

ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019

A BYLAW TO REGULATE, PROHIBIT AND IMPOSE REQUIREMENTS IN RELATION TO ANIMALS IN THE RESORT MUNICIPALITY OF WHISTLER

WHEREAS it is deemed expedient to regulate the keeping of dogs, cats and other animals within the Resort Municipality of Whistler and to provide for the fixing, imposing and collecting of licence fees from and the issuance of licences to a person who owns, possesses, harbours or who has charge of a dog;

NOW THEREFORE the Council of the Resort Municipality of Whistler, pursuant to the powers vested in it by Part 2, Division 1 and Part 3, Division 6 of the *Community Charter*, **ENACTS AS FOLLOWS:**

Title

1. This Bylaw may be cited for all purposes as the “Animal Responsibility Bylaw No. 2218, 2019".

Definitions

2. In this Bylaw:

"aggressive behaviour" means any behaviour by a dog that unduly intimidates a person or animal and includes snarling, growling or pursuing a person or animal in a threatening manner;

"aggressive dog" means a dog that:

(a) has without justifiable provocation displayed aggressive behaviour toward a person or animal; or

(b) has without justifiable provocation caused a minor injury to a person or animal;

"animal" means any animal excluding humans;

"animal control officer" means any person employed by the RMOW as an animal control officer or bylaw enforcement officer, or a peace officer;

"animal shelter manager" means any person appointed or contracted by the RMOW as the animal shelter manager and any employee or contractor of a business which has entered into an agreement with the RMOW to assume the responsibilities of the animal shelter manager pursuant to this Bylaw;

"bylaw supervisor" means the supervisor of the bylaw services for the RMOW, or their designate;

"cat" means a domestic animal of the species *Felis Catus*;

"choke collar" means a slip collar or chain that may constrict around the animal's neck as a result of pulling on one end of the collar or chain, and includes pinch or prong collars but does not include a martingale collar;

"companion animal" means a domesticated animal kept for companionship to a person rather than for other forms of utility, profit or burden and which may lawfully be kept upon residential property under the RMOW's bylaws;

"competent person" means a person of sufficient age, capacity, height and weight to ensure an animal under their control will be obedient to their commands or to physically restrain the animal if required.

"council" means the municipal council of the RMOW;

"dangerous dog" has the meaning defined in the *Community Charter*;

"dog" means an animal of the *canis familiaris* species, irrespective of sex or age;

"dog behavior specialist" means a member of the Association of Pet Behaviour Counsellors, a Certified Applied Animal Behaviorist, or a Diplomate of the American College of Veterinary Behavior;

"enclosure" means a lockable pen or structure at least 2 metres in height and 2 metres in width, with a floor and roof, suitable to prevent unauthorized entry, to prevent the escape of an animal, and to confine a dog in conjunction with other measures taken by the owner;

"guide dog" has the meaning defined in the *Guide Dog and Service Dog Act*;

"identification" means

(a) a collar or tag worn by an animal which includes the name, current address and contact information of the owner;

(b) a traceable tattoo;

(c) a traceable microchip; or

(d) a valid licence tag issued by a local government in British Columbia;

"impounded" means seized, delivered, received, or taken into the custody of animal shelter manager;

"leash" means a rope, chain, cord, or leather strip no longer than 2 metres, attached to the collar or harness of a dog, of sufficient strength to be used for controlling and restraining the activity of the dog;

"licence year" means the period from January 1 to December 31 in any year;

"minor injury" means a physical injury to a person or animal that consists of pinches, minor localized bruising, scratches, shallow punctures or lacerations in one direction only;

"muzzled" means wearing humane basket style fastening or covering device over the mouth that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or with the dog's ability to drink;

"neuter" means the sterilization of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"owner" includes a person who:

(a) owns, is in possession of, or has the care or control of an animal;

(b) harbours, shelters or permits an animal to remain about the persons' land or premises; or

(c) to whom a licence for an animal has been issued pursuant to this Bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor;

"permanent identification" means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner;

"police service dog" means any dog owned by the Royal Canadian Mounted Police or any municipal police department;

"public place" includes any highway, sidewalk, boulevard, public space, park or any real property owned, held, operated or managed by the RMOW ;

"RMOW" means the Resort Municipality of Whistler;

"running at large" means:

(a) a dog in or upon the lands or premises of any person other than the owner without the express or implied consent of that person; or

(b) a dog in a public place; that is not secured on a leash or otherwise under the direct care and control of a competent person; or

(c) a vicious dog or dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling;

"serious injury" means a physical injury to a person or animal that consists of deep punctures, lacerations in more than one direction, broken bones or an injury requiring stitches or cosmetic surgery;

"service dog" means:

(a) a service dog as defined in the *Guide Dog and Service Dog Act*; or

(b) a dog belonging to an active team of the Canadian Avalanche Rescue Dog Association;

"spay" means the sterilization of a female animal by removing the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"unlicensed dog" means any dog over the age of 6 months that is not licensed by the RMOW or is not wearing a valid and subsisting licence tag issued by a local government within British Columbia;

"vicious dog" means a dog that:

(a) has without justifiable provocation caused a serious injury to a person or animal;

(b) has a known propensity, tendency or disposition to attack without justifiable provocation;

(c) has on more than one occasion caused a minor injury to a person or animal;

(d) has while running at large, aggressively pursued or harassed a person without justifiable provocation or has a demonstrated a propensity, tendency or disposition to do so; or

(e) a dangerous dog.

Possession of Animals

3. No person shall keep or allow to be kept on any real property more than 6 companion animals, consisting of not more than 4 dogs over the age of 8 weeks and not more than 5 cats over the age of 12 weeks.

Identification for the Keeping of Cats

4. Every owner of a cat shall affix, and keep affixed, sufficient identification on the cat by means of a collar, harness, traceable tattoo, microchip or other suitable device, which includes the name and contact information for the owner.

Prohibited Animals

5. Except as provided in Section 6 of this Bylaw, no person shall:

(a) breed;

(b) possess;

(c) exhibit for entertainment or educational purposes; or

(d) display in public;

either on a temporary basis or permanent basis, any prohibited animal outlined in Schedule "A" to this Bylaw.

6. Sections 3 and 5 do not apply to:

(a) a facility used by the RMOW or the animal shelter manager for keeping impounded animals;

(b) any police department or RCMP detachment;

(c) the British Columbia Society for the Prevention of Cruelty to Animals;

(d) a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for the prohibited animal;

(e) a person holding a valid permit pursuant to the *Wildlife Act*, RSBC 1996, c. 488 for the animal;

(f) persons accredited by the Canadian Council for Animal Care and keeping such animals for educational and research purposes; or

(g) the keeping of ungulates, lagomorphs or birds on land designated under the RMOW Zoning Bylaw for agricultural use.

Exemption for Police Service Dogs

7. This Bylaw does not apply to a police service dog while on duty, including while engaged in training exercises and under the supervision of a member of the Royal Canadian Mounted Police or any municipal police department.

Dog Licences

8. No person shall own, keep, possess or harbour any dog over the age of 6 months in the RMOW unless a valid and subsisting licence for the current calendar year has been obtained for the dog under this Bylaw.

9. The requirement to obtain a dog licence under this bylaw does not apply to a dog that is kept in the RMOW for less than one month in a calendar year and for which a valid and subsisting dog licence has been obtained from another jurisdiction.

10. If a dog is required to be licensed pursuant to this Bylaw, the owner of the dog shall apply to the RMOW for a licence in the form prescribed by the Bylaw Supervisor for that purpose and pay the fee set out in Schedule "B" to this Bylaw.

11. Upon receipt of the complete application and payment of the prescribed fee, the RMOW may issue a numbered dog licence and corresponding numbered licence tag for that licence year.

12. An owner shall immediately notify the RMOW of any change of any information provided in an application for a licence under this Bylaw.

13. No person shall give false information when applying for a licence pursuant to this Bylaw.

14. Every licence and corresponding licence tag issued under this Bylaw shall expire on the 31st day of December in the calendar year in which the licence was issued.

15. The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the dog by a collar, harness, or other suitable device, unless the dog is temporarily in the RMOW and is validly licensed by another local government in British Columbia, and is wearing valid Identification.

16. The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the RMOW, animal control officer or animal shelter manager that the original licence tag has been lost or stolen and upon payment of the replacement licence fee set out in Schedule "B" to this Bylaw.

17. An owner must provide the RMOW, animal control officer, or animal shelter manager with a certificate signed by a qualified veterinarian indicating that a dog has been neutered or spayed in order to qualify for the corresponding reduced licence fee.

Aggressive Dogs

18. Where an animal control officer determines that a dog meets the definition of an aggressive dog, the animal control officer may issue a written notice to the owner of that dog advising the owner of this determination and the requirements of this Bylaw with respect to aggressive dogs.

19. The notice of an aggressive dog determination may be served on the owner:

(a) personally by handing the notice to the owner;

(b) by handing the notice to a person on the owner's property who appears to be over the age of 19 years;

(c) by posting the notice upon some part of the owner's property and by sending a copy to the owner by regular mail, in which case the notice is deemed to have been received by the owner 7 days after the notice was mailed;

(d) by mailing a copy by prepaid registered mail to the last known address of the owner; or

(e) by electronic mail to the email address of the owner.

20. Within 30 calendar days of receiving the notice of aggressive dog determination, the owner must:

(a) pay to the RMOW the additional licence fee amount for an aggressive dog, over and above any licensing fees already paid for that dog in the calendar year;

(b) provide the RMOW with written confirmation from a licensed veterinarian that the dog has been neutered or spayed; and

(c) ensure the dog has permanent identification and provide the permanent identification information to the RMOW.

21. Every owner of an aggressive dog shall:

(a) secure the dog by a collar or harness and a leash that is a maximum length of 1 metre when the dog is not on the owner's property

(b) ensure that the dog is not running at large within the RMOW at any time; and

(c) keep the dog muzzled when in a designated off-leash area.

22. The owner of a dog that has been designated an aggressive dog may, within 14 calendar days of receipt of the designation notice, request in writing to the Bylaw Supervisor that they reconsider the decision of the animal control officer and provide their submissions regarding why the owner believes the dog should not be designated an aggressive dog.

23. Upon receiving a request for reconsideration of an aggressive dog designation, the Bylaw Supervisor may confirm, reverse or amend the decision designating the dog as an aggressive dog and may cancel or modify any restrictions, requirements or conditions imposed by an animal control officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

24. An owner, following a period of at least one year from the date stated on the written notice that their dog has been designated an aggressive dog, may apply to the RMOW for relief from the requirements of Section 20 provided that:

(a) the dog has not exhibited further aggressive behaviour; and

(b) the owner provides proof that the dog has successfully completed a course designed and delivered by a Dog Behavior Specialist to address the dog's aggressive behaviour.

25. If a dog displays aggressive behavior again after relief has been granted pursuant to Section 24 the requirements of Section 21 shall apply in perpetuity.

Vicious Dogs

26. Where an animal control officer determines that a dog meets the definition of a vicious dog, the animal control officer may issue written notice to the owner of that dog advising the owner of this determination and the requirements of this Bylaw with respect to vicious dogs.

27. The notice of a vicious dog determination may be served on the owner:

(a) personally by handing the notice to the owner;

(b) by handing the notice to a person on the owner's property who appears to be over the age of 19 years;

(c) by posting the notice upon some part of the owner's property and by sending a copy to the owner by regular mail, in which case the notice is deemed to have been received by the owner 7 days after the notice was mailed; or

(d) by mailing a copy by prepaid registered mail to the last known address of the owner.

28. Within 30 calendar days of receiving the notice of vicious dog determination, the owner must:

(a) pay to the RMOW the additional licence fee amount for a vicious dog, over and above any licensing fees already paid for that dog in the calendar year;

(b) provide the RMOW with written confirmation from a licensed veterinarian that the dog has been neutered or spayed;

(c) ensure the dog has permanent identification and provide the permanent identification information to the RMOW;

(d) provide the RMOW with proof that the owner has obtained a policy of liability insurance not excluding damages for injuries caused by the dog and in an amount not less than $500,000, and covering the 12-month period during which licensing is sought; and

(e) provide the RMOW with a side view, full body colour photo of the dog to be kept for identification purposes.

29. The owner of any dog that has been deemed a vicious dog may within 14 calendar days of issuance of that written notice, request in writing that the Bylaw Supervisor reconsider the decision. The request for reconsideration must be accompanied by:

(a) written reasons why the owner of the dog believes the dog is not a vicious dog; and

(b) a written assessment of the dog, prepared by a Dog Behaviour Specialist within the last 6 months.

30. If a written request for reconsideration is received by the RMOW within 14 days, the Bylaw Supervisor may provide the owner and any complainant with an opportunity to make representations regarding the vicious dog.

31. After hearing any representations, the Bylaw Supervisor may confirm, reverse or amend the decision designating the dog as a vicious dog and may cancel or modify any restrictions, requirements or conditions imposed by an animal control officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

32. No person shall own or keep any vicious dog unless the dog is licensed as a vicious dog with the RMOW by an owner who is over 19 years of age.

33. Every owner of a vicious dog shall:

(a) secure the dog by a collar or harness and leash that is a maximum length of 1 metre when not on the owner's property;

(b) ensure that the dog is not running at large within the RMOW at any time;

(c) ensure that the dog is not in a designated off-leash area in the RMOW at any time;

(d) keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;

(e) post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a vicious dog on the premises;

(f) at all times while the dog is on the owner's premises, keep the dog securely confined indoors or confined outdoors in an enclosure;

(g) within 30 calendar days of receiving notice that their dog is a vicious dog, ensure the dog has permanent identification and provide the permanent identification information to the RMOW.

34. The owner of a vicious dog must immediately notify the RMOW if:

(a) the dog is running at large or has attacked or injured a person or animal; or

(b) the dog's place of residence changes, the dog is transferred to a new owner and provide the new owner's name and contact information, or the dog dies.

35. Where the owner of a vicious dog requests that the dog be destroyed, an animal control officer may arrange to have the dog humanely destroyed. In such cases, the owner must sign the form provided by the animal control officer for the release of the dog to the RMOW for the purposes of humane destruction.

36. If the owner of a vicious dog does not comply with the requirements of this Bylaw, the vicious dog may be seized and impounded for up to 14 days, after which, if the owner has not remedied the lack of compliance and provided proof of such compliance to the RMOW, the dog becomes the property of the RMOW and may be humanely euthanized.

37. A dangerous dog may also be dealt with by the RMOW in accordance with Section 49 of the *Community Charter*.

38. All animal control officers are designated as animal control officers for the purpose of Section 49 of the *Community Charter*.

Animal Responsibility Regulations and Prohibitions

39. No owner shall keep or harbour any animal which by its howling, barking, or cries unduly disturbs the peace, quiet or rest of persons in the surrounding neighbourhood.

40. No owner shall allow or suffer their dog to be running at large in the RMOW.

41. No owner of a dog shall allow the dog to be within a park in a designated "no dogs permitted" area.

42. No owner shall permit or allow an animal to:

(a) bite, aggressively harass, or chase a person, other animals, bicycles, automobiles or vehicles;

(b) display aggressive behaviour towards a person or animal;

(c) cause a minor injury, or serious injury or death to a person or animal.

43. An owner of a dog may allow their dog to be off-leash in a designated off-leash provided that the owner:

(a) carries a leash;

(b) keeps the dog in view at all times;

(c) keeps the dog under control;

(d) immediately removes feces and disposes of it appropriately; and

(e) immediately leashes the dog if it displays any aggressive behaviour.

44. Every owner of an intact female dog shall, at all times when the dog is in heat, keep the dog securely confined within a building or an enclosure.

45. Every owner shall, at all times when his or her dog is off the premises of the owner, immediately remove or cause to be removed any feces deposited by the dog and dispose of the feces in a sanitary manner.

46. Every owner of a diseased animal must, where the disease poses a threat to the health or safety of a person or animal, ensure that the diseased animal does not leave the property or premises of the owner other than for the purpose of a visit to a veterinarian, in which case the animal must be transported in a manner so as to ensure that it does not come into contact with another person or animal.

47. A person who finds and takes possession of an animal in the RMOW shall immediately provide the animal shelter manager or RMOW with:

(a) a description and photograph of the animal where possible; and

(b) if the animal is wearing identification, the information contained on the identification.

Care of Animals

48. No owner shall keep any animal in the RMOW unless the animal is provided with:

(a) sufficient clean potable drinking water and food in sufficient quantity and of a nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;

(b) food and water receptacles which are clean;

(c) the opportunity for regular exercise sufficient to maintain the animal's good health; and

(d) necessary veterinary care to maintain the health and comfort of the animal or when the animal exhibits signs of pain, injury, illness, suffering, or disease.

(e) protection from heat, cold and wet that is appropriate to the animal's weight and type of coat; and

(f) sufficient shade to protect the animal from the direct rays of the sun at all times.

49. No owner shall cause, permit, or allow a dog:

(a) to be hitched, tied, or fastened to a fixed object in such a way that the dog is able to leave the boundaries of private property;

(b) to be hitched, tied, or fastened to a fixed object where a choke collar forms part of the securing apparatus, or where a rope or cord is tied directly around the dog's neck; or be tethered other than with a collar or harness that is properly fitted to that dog and attached in a manner that will not injure the dog or enable the dog to injure itself by pulling on the tether;

(c) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the dog;

(d) to be hitched, tied, or fastened to a fixed object unattended at any time while on public property;

(e) to be hitched, tied, or fastened to a fixed object in excess of 12 hours within any 24-hour period while on private property.

50. No owner of any dog shall keep a dog in an enclosure or pen in excess of 12 hours within any 24-hour period.

51. No owner shall keep an animal confined in an enclosed space, including but not limited to a motor vehicle, without sufficient ventilation to prevent the animal from suffering a heat related injury.

52. Notwithstanding any other provision of this Bylaw, no person shall:

(a) abandon any animal;

(b) tease, torment, or provoke an animal;

(c) cause, permit or allow an animal to suffer; or

(d) train or allow any animal to fight.

Abilities of an Animal Control Officer

53. An animal control officer may seize and impound:

(a) any unlicensed dog;

(b) any dog found to be running at large contrary to this Bylaw; or

(c) any dog found to be unattended contrary to this Bylaw.

54. The animal control officer may, where necessary, employ the use of lures, baits, nets, or any other means of apprehending animals.

55. The animal shelter manager may impound any animal brought to them by an animal control officer or another person.

Administrative Duties of the Animal Shelter Manager

56. The animal shelter manager shall make all rules and regulations for and operate the animal shelter in a manner consistent with this Bylaw pertaining to the administration of facilities for the keeping of impounded animals.

57. Where an animal is seized pursuant to this Bylaw, the animal shelter manager or animal control officer may screen the animal for identification.

58. The animal shelter manager must keep a record book showing a description of every impounded animal, the owner of the animal if known, the length of time of impoundment, the final disposition of each impounded animal, and all funds received and disbursed in respect of the operation of the impoundment facility.

59. The animal shelter manager must keep all impoundment facilities clean and in good repair, and must supply impounded animals with sufficient and wholesome food and water, and with reasonable shelter, segregation and care as circumstances may warrant.

60. The animal shelter manager must pay to the RMOW 50 percent of all funds received by them for licence fees.

Impoundment and Redemption

61. If the animal shelter manager or RMOW considers that an impounded animal requires:

(a) a vaccination;

(b) flea treatment;

(c) worm treatment;

(d) examination by a veterinarian; or

(e) urgent veterinary care to alleviate any pain or suffering;

then the animal shelter manager or RMOW may cause such care to be provided at the sole cost and expense of the animal's owner.

62. Notwithstanding any other provisions of this Bylaw, if the animal shelter manager or RMOW determines that an impounded animal is suffering from an injury, sickness or incurable disease that constitutes a health hazard and/or cannot otherwise be reasonably addressed, the animal shelter manager may have the animal humanely euthanized by a veterinarian.

Retention of Animal

63. The animal shelter manager must retain an impounded animal for a period of at least 96 hours if the owner of the animal does not redeem the animal prior to the end of the 96 hour period.

Informing the Owner of Impoundment

64. Where an animal is impounded pursuant to this Bylaw, within 24 hours:

(a) the animal shelter manager must make reasonable effort to contact the owner of an impounded dog wearing a licence tag by calling the licensed owner's telephone number;

(b) the animal shelter manager must make reasonable effort to determine the owner of the animal other than a dog wearing a licence tag, by posting a notice on the animal shelter's social media site, including a photograph and description of the animal.

65. Where the animal shelter manager has identified the owner of an impounded animal but is unable to reach the owner by telephone and/or email, a notice of impoundment may be sent by mail to the last known address of the owner.

66. Notices of impoundment shall include the following information:

(a) date and time of the impoundment;

(b) description of the animal;

(c) how application may be made for release of the animal;

(d) costs of seizure, expenses to the date of the notice and any known continuing costs and expenses; and

(e) advising that the animal will become the property of the RMOW and may be sold, destroyed or otherwise disposed of after the expiration of 96 hours from impoundment, unless the animal is sooner redeemed.

Redemption and Costs

67. An owner of an animal seized under this Bylaw, or any person authorized in writing as the owner's agent, may redeem the animal from impoundment by:

(a) delivering to the animal shelter manager or RMOW satisfactory evidence of ownership of the animal;

(b) paying to the animal shelter manager or RMOW all impoundment and maintenance fees, costs, and charges incurred in respect of the seizure and boarding of the animal, as set out in Schedule "C" to this Bylaw;

(c) paying to the animal shelter manager or RMOW all actual costs incurred for the veterinary care of the animal during impoundment

(d) providing a completed licence application to and paying to the animal shelter manager or RMOW all licensing fees for the animal, if the animal is required to be licensed pursuant to this Bylaw and is not licensed; and

(e) Satisfying the animal shelter manager or RMOW that the owner is in compliance with the Animal Care and Responsibility provisions of this Bylaw.

68. The owner of an impounded animal is liable to pay the seizure and impoundment fee, boarding and maintenance fees, and any veterinary expenses incurred by the animal shelter manager or RMOW for the animal, regardless of whether or not the owner redeems the animal.

Failure to Redeem

69. An animal becomes the property of the RMOW if not redeemed within 96 hours after its impoundment.

70. Upon assuming ownership of an unredeemed animal, the RMOW may:

(a) transfer ownership of the animal to any person or organization deemed acceptable by the RMOW; or

(b) have the animal humanely euthanized by a veterinarian.

71. No person shall take or release any animal from the custody of the animal shelter manager without the consent of the animal shelter manager or the RMOW.

Obstruction

72. No person shall hinder, delay, or obstruct in any manner, directly or indirectly, an animal control officer in carrying out the duties and powers of an animal control officer under this Bylaw.

73. Every occupier of premises where any animal is kept or found and every person having actual or apparent custody of an Animal, shall immediately, upon demand by an animal control officer, truthfully and fully supply the following information:

(a) his or her name;

(b) the number of Animals owned or kept by him or her, their breed, sex, and general description;

(c) the place where such Animals are kept; and

(d) whether the Animals are currently licensed.

Offences and Penalties

74. This Bylaw may be enforced by an animal control officer, and any other person or class of persons designated by Council to enforce RMOW bylaws.

75. In accordance with Section 16 of the *Community Charter*, an animal control officer at reasonable times may enter onto and enter into real property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

76. Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of the Bylaw shall be guilty of an offence under this Bylaw and shall be liable on summary conviction to a penalty of not less than $50.00 and not more than $2,000.00.

77. Each day an offence continues or is permitted to exist shall constitute a separate offence.

Severability

78. If any section or lesser portion of this Bylaw is held to be invalid by a Court, the invalid section shall be severed and the severance shall not affect the validity of the remaining portions of the Bylaw.

Repeal

“Whistler Animal Control Bylaw No. 1555, 2001, Amendment Bylaw No. 1568, 2002” is repealed.

GIVEN FIRST, SECOND, and THIRD READINGS this 3rd day of September, 2019.

ADOPTED by Council this ____ day of _____, 2019.

Jack Crompton,
Mayor

Alba Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of “Animal Responsibility Bylaw No. 2218, 2019".

Alba Banman,

Acting Municipal Clerk

Schedule "A"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
LIST OF PROHIBITED ANIMALS

1. all nonhuman primates
2. all felidae, except the domestic cat
3. all canidae, except the domestic Dog
4. all ursidae (bears)
5. all proboscidea (elephants)
6. all pinnipedia (seals, walrus)
7. all marsupials
8. all edentates (anteaters)
9. all xenartha (such as sloths, armadillos, and tamanduas)
10. all monotremata (spiny anteater and platypus)
11. all venomous or poisonous reptiles and amphibians
12. all reptiles and amphibians over 2 metres adult size
13. all venomous or poisonous invertebrates (such as black widow spiders, tarantulas, and blue-ringed octopus)
14. all ungulates
15. all hyenidae (hyenas)
16. all hyracoidean (hyraxes)
17. all erinaceidae (tenrecs and hedgehogs, except miniature domestic hedgehogs)
18. all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
19. all procyonidae (raccoons, coatimundis)
20. all viverridae (civets and genets)
21. all herpestidae (mongooses)
22. all cetacea (whales, porpoises, dolphins)
23. all rodentia, except the hamster, gerbil, guinea pig, chinchilla, domestic mouse, and domestic rat
24. all chiroptera (bats), colugos (flying lemurs), and scandentia (treeshrews)
25. all lagomorphs (rabbits and hare), except the domestic rabbit
26. all birds (quail, pheasant, pigeon, chicken, duck, goose and turkey) except budgie, cockatiel, lovebird, finch, and canary
27. all saltwater fish

Schedule "B"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
LICENSING

Dogs

a) Neutered male or spayed female $25

b) Other than (a) above $50

c) Aggressive Dog $100

d) Vicious Dog $200

e) Guide Dog/ Service Dog/ Police Services Dog/ Canadian Avalanche and Rescue Dog Association Dog (CARDA) $0

f) New licences issued from August 1 to December 31 of any given year shall be subject to a fee equal to 50 per cent of the above noted fees. This does not apply to renewals or to Dogs eligible to be licensed prior to August 1.

General

Replacement of licence $10

Schedule "C"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
IMPOUNDMENT FEE

Dogs

1) Impoundment fee per calendar year:

    a) First impoundment of a licensed animal: $0.00

    b) First impoundment of an unlicensed animal: $80.00

    c) Second and subsequent impoundment of animal: $100.00

    d) Aggressive Dog $300.00

    e) Vicious Dog $500.00

Boarding of Animals

1) Rate per day:
    a) Dog $40.00

RESORT MUNICIPALITY OF WHISTLER

BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW (ANIMAL RESPONSIBILITY) NO. 2220, 2019

A BYLAW TO AMEND "BYLAW NOTICE ENFORCEMENT BYLAW NO. 2174, 2018".

WHEREAS the Council of the Resort Municipality of Whistler has adopted "Bylaw Notice Enforcement Bylaw No. 2174, 2018";

AND WHEREAS the Council of the Resort Municipality of Whistler deems it expedient to authorize the use of Bylaw Notice for the enforcement of certain bylaws, to designate expressions that may be used for certain bylaw offences and to set certain fine amounts;

AND WHEREAS the Council of the Resort Municipality of Whistler deems it necessary and expedient to amend the "Bylaw Notice Enforcement Bylaw No. 2174, 2018";

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

1. This Bylaw may be cited for all purposes as the "Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019".

2. "Bylaw Notice Enforcement Bylaw No. 2174, 2018" is amended by:

   (a) adding the table attached as Schedule "A" to this Bylaw to the tables listed in Schedule "A" of "Bylaw Notice Enforcement Bylaw No. 2174, 2018".

3. Schedule "A" attached to this Bylaw forms part of this Bylaw.

GIVEN FIRST, SECOND and THIRD READINGS this 3rd day of September, 2019.

ADOPTED this _____ day of _____, 2019.

_____ _____

Mayor, J. Crompton Municipal Clerk, A. Banman

I HEREBY CERTIFY that this is a true copy of the "Bylaw Notice Enforcement Amendment Bylaw (Animal Responsibility) No. 2220, 2019".

_____

Municipal Clerk, A. Banman

Schedule "A"

Animal Responsibility Bylaw No. 2218, 2019

DESIGNATED EXPRESSION	SECTION(S)	Discounted Penalty	Penalty	Compliance Agreement Available (50% of Penalty)
Keeping of excessive companion animals	3	$150	$250	Yes
Fail to ID cat	4	$50	$100	Yes
Keeping of prohibited animal	5	$400	$500	Yes
Fail to licence	8	$150	$200	Yes
Falsify information on licence application	13	$150	$200	Yes
Failure to affix dog licence tag	15	$50	$75	Yes
Aggressive dog improperly leashed	21 (a)	$300	$350	Yes
Aggressive dog at large	21 (b)	$300	$350	Yes
Aggressive dog not muzzled in off-leash area	21 (c)	$250	$300	Yes
Aggressive dog without permanent identification	20 (c)	$100	$200	Yes
Vicious dog improperly leashed	33 (a)	$400	$500	Yes
Vicious dog at large	33 (b)	$400	$500	Yes
Vicious dog in off-leash area	33 (c)	$400	$500	Yes
Vicious dog not muzzled	33 (d)	$400	$500	Yes
Vicious dog warning sign not posted	33 (e)	$150	$200	Yes
Vicious dog not in enclosure	33 (f)	$200	$250	Yes
Vicious dog without permanent identification	33 (g)	$200	$250	Yes

Fail to provide photograph of dangerous dog	47 (a)	$400	$500	Yes
Failure to notify of dangerous dog at large	34 (a)	$400	$500	Yes
Failure to notify of dangerous dog location change	34 (b)	$400	$500	Yes
Fail to prevent excessive animal noise	39	$150	$200	Yes
Animal at large	40	$200	$250	Yes
Dog in prohibited area	41	$150	$200	Yes
Chase, threaten or bite	42 (a)	$300	$400	Yes
Aggressive behaviour to person or animal	42 (b)	$250	$350	Yes
Dog causes minor injury	42 (c)	$200	$300	Yes
Failure to have leash	43 (a)	$75	$100	Yes
Fail to control dog	43 (c)	$75	$100	Yes
Fail to remove and dispose of feces in off- leash area	43 (d)	$150	$200	Yes
Fail to leash dog	43 (e)	$150	$250	Yes
Fail to confine dog in heat	44	$100	$200	Yes
Fail to remove animal feces	45	$150	$200	Yes
Fail to confine diseased animal	46	$150	$200	Yes
Fail to provide food/water	48 (a)	$150	$200	Yes
Fail to clean receptacles	48 (b)	$150	$200	Yes
Fail to provide exercise	48 (c)	$150	$200	Yes
Fail to provide vet care	48 (d)	$150	$200	Yes
Fail to meet shelter standards	48(e)	$150	$200	Yes
Shelter shade inadequate	48 (f)	$150	$200	Yes
Dog tied to object improperly	49 (a)	$100	$200	Yes

Dog confined by neck	49 (b)	$100	$200	Yes
Dog tether of insufficient length	49 (c)	$100	$200	Yes
Dog tied unattended	49 (d)	$100	$200	Yes
Dog tied for over 12 hours in 24 hour period	49 (e)	$100	$200	Yes
Inadequate ventilation	51	$200	$300	Yes
Abandon an animal	52 (a)	$75	$150	Yes
Tease, torment or provoke an animal	52 (b)	$200	$300	Yes
Cause or permit animal suffering	52 (c)	$250	$350	Yes
Cause or permit animal fighting	52 (d)	$400	$500	Yes
Obstruction of animal control officer	72	$250	$500	Yes

RESORT MUNICIPALITY OF WHISTLER

MUNICIPAL TICKET INFORMATION SYSTEM IMPLEMENTATION AMENDMENT BYLAW NO. 2241, 2019

A BYLAW TO AMEND "MUNICIPAL TICKET INFORMATION SYSTEM IMPLEMENTATION BYLAW NO. 1719, 2005"

WHEREAS the Council of the Resort Municipality of Whistler has adopted Municipal Ticket Information System Bylaw No. 1719, 2005";

AND WHEREAS the Council of the Resort Municipality of Whistler deems it necessary and expedient to amend the "Municipal Ticket Information System Bylaw No. 1719, 2005";

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

1. This Bylaw may be cited for all purposes as the "Municipal Ticket Information System Implementation Amendment Bylaw No. 2241, 2019".

2. "Municipal Ticket Information System Implementation Bylaw No. 1719, 2005" is amended by:

   (a) rescinding the table attached as Schedule B2 to "Municipal Ticket Information System Implementation Bylaw No. 1719, 2005" and replacing it with the table attached as Schedule "A" to this Bylaw.

3. Schedule "A" attached to this Bylaw forms part of this Bylaw.

GIVEN FIRST, SECOND and THIRD READINGS this 3rd day of September, 2019.

ADOPTED this _____ day of _____, 2019.

_____
J. Crompton,
Mayor

_____
A. Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of the "Municipal Ticket Information System Implementation Amendment Bylaw No. 2241, 2019"

_____
A. Banman,
Municipal Clerk

Schedule “A”

Municipal Ticket Information System Implementation Amendment Bylaw No. 2241, 2019

Animal Control Bylaw No. 2218, 2019

DESIGNATED EXPRESSION	**SECTION(S)**	**Penalty**
Keeping of excessive companion animals	3	$250
Fail to ID cat	4	$100
Keeping of prohibited animal	5	$500
Fail to licence	8	$200
Falsify information on licence application	13	$200
Failure to affix dog licence tag	15	$75
Aggressive dog improperly leashed	21 (a)	$350
Aggressive dog at large	21 (b)	$350
Aggressive dog not muzzled in off-leash area	21 (c)	$300
Aggressive dog without permanent identification	20 (c)	$200
Vicious dog improperly leashed	33 (a)	$500
Vicious dog at large	33 (b)	$500
Vicious dog in off-leash area	33 (c)	$500
Vicious dog not muzzled	33 (d)	$500
Vicious dog warning sign not posted	33 (e)	$200
Vicious dog not in enclosure	33 (f)	$250
Vicious dog without permanent identification	33 (g)	$250
Fail to provide photograph of dangerous dog	47 (a)	$500
Failure to notify of dangerous dog at large	34 (a)	$500
Failure to notify of dangerous dog location change	34 (b)	$500
Fail to prevent excessive animal noise	39	$200
Dog at large	40	$250
Dog in prohibited area	41	$200
Chase, threaten or bite	42 (a)	$400
Aggressive behaviour to person or animal	42 (b)	$350
Dog causes minor injury	42 (c)	$300
Failure to have leash	43 (a)	$100
Fail to control dog	43 (c)	$100
Fail to remove and dispose of feces in off- leash area	43 (d)	$200
Fail to leash dog	43 (e)	$250
Fail to confine dog in heat	44	$200

Fail to remove animal feces	45	$200
Fail to confine diseased animal	46	$200
Fail to provide food/water	48 (a)	$200
Fail to clean receptacles	48 (b)	$200
Fail to provide exercise	48 (c)	$200
Fail to provide vet care	48 (d)	$200
Fail to meet shelter standards	48(e)	$200
Shelter shade inadequate	48(f)	$200
Dog tied to object improperly	49 (a)	$200
Dog confined by neck	49 (b)	$200
Dog tether of insufficient length	49 (c)	$200
Dog tied unattended	49 (d)	$200
Dog tied for over 12 hours in 24 hour period	49 (e)	$200
Inadequate ventilation	51	$300
Abandon an animal	52 (a)	$150
Tease, torment or provoke an animal	52 (b)	$300
Cause or permit animal suffering	52 (c)	$350
Cause or permit animal fighting	52 (d)	$500
Obstruction of animal control officer	72	$500

RESORT MUNICIPALITY OF WHISTLER

FIVE-YEAR FINANCIAL PLAN 2019 – 2023 AMENDMENT BYLAW NO. 2244, 2019

A BYLAW TO AMEND "FIVE-YEAR FINANCIAL PLAN 2019 – 2023 BYLAW NO. 2225, 2019"

WHEREAS the Council must have a financial plan pursuant to Section 165 of the *Community Charter;*

AND WHEREAS the Council deems it necessary and appropriate to amend the five-year financial plan for the years 2019 to 2023;

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

1. This Bylaw may be cited for all purposes as the "Five-Year Financial Plan 2019 – 2023 Amendment Bylaw No. 2244, 2019".

2. Schedules "A" and "B" of the "Five-Year Financial Plan 2019 – 2023 Bylaw No. 2225, 2019" are replaced by Schedules "A" and "B" attached to and forming part of this Bylaw.

GIVEN FIRST, SECOND, and THIRD READINGS this 3rd day of September, 2019.

ADOPTED by Council this ____ day of _____, 2019.

Jack Crompton,
Mayor

Alba Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Five-Year Financial Plan 2019 – 2023 Amendment Bylaw No. 2244, 2019".

Alba Banman,
Municipal Clerk

RESORT MUNICIPALITY OF WHISTLER
FIVE-YEAR FINANCIAL PLAN 2019 - 2023
CONSOLIDATED OPERATING SUMMARY

BYLAW 2244, 2019
SCHEDULE A

	2019	2020	2021	2022	2023
REVENUE					
General Fund					
Property Taxes	39,180,627	40,062,191	40,963,590	41,885,271	42,827,690
Other Property Tax	1,008,200	1,030,885	1,054,079	1,077,796	1,102,047
Government Grants	688,906	700,000	705,000	710,000	715,000
Fees and Charges	11,943,016	12,181,876	12,425,514	12,674,024	12,927,505
Investment Income	2,273,900	2,383,900	2,493,900	2,603,900	2,713,900
RMI Grant	6,940,000	6,900,000	6,900,000	6,900,000	6,900,000
MRDT	11,300,000	11,300,000	11,300,000	11,300,000	11,300,000
Works and Service Charges	606,107	600,000	600,000	600,000	600,000
Water Fund					
Parcel Taxes	3,966,915	4,046,253	4,127,178	4,209,722	4,293,916
Fees and Charges	3,017,812	3,078,168	3,139,732	3,202,526	3,266,577
Works and Service Charges	47,500	50,000	50,000	50,000	50,000
Sewer Fund					
Parcel Taxes	4,189,416	4,273,204	4,358,668	4,445,842	4,534,759
Fees and Charges	3,873,417	3,950,885	4,029,903	4,110,501	4,192,711
Works and Service Charges	198,770	200,000	200,000	200,000	200,000
Solid Waste Fund					
Fees and Charges	5,898,154	6,016,117	6,136,439	6,259,168	6,384,352
Government Grants	481,000	480,000	485,000	490,000	495,000
	95,613,740	**97,253,480**	**98,969,005**	**100,718,751**	**102,503,455**
EXPENDITURE		1,639,740	1,715,524	1,749,746	1,784,705
General Fund					
Payroll and Goods & Services	53,396,486	55,425,553	57,531,724	59,717,929	61,987,210
Debt Interest & Principal	239,299	239,299	239,299	239,299	239,299
Residents & Partners	7,844,150	7,813,650	7,773,650	7,843,650	7,693,650
Contingency	647,172	658,331	680,954	704,401	728,702
Water Fund					
Payroll and Goods & Services	1,894,138	1,922,550	1,951,388	1,980,659	2,010,369
Debt Interest & Principal	-	-	-	-	-
Sewer Fund					
Payroll and Goods & Services	2,813,851	2,856,059	2,898,900	2,942,383	2,986,519
Debt Interest & Principal	1,370,453	1,370,453	1,370,453	1,210,453	1,210,453
Solid Waste Fund					
Payroll and Goods & Services	5,545,774	5,628,961	5,713,395	5,799,096	5,886,082
Debt Interest & Principal	472,255	472,255	472,255	472,255	472,255
	74,223,578	**76,387,110**	**78,632,018**	**80,910,125**	**83,214,540**

RESORT MUNICIPALITY OF WHISTLER **BYLAW 2244, 2019**
FIVE-YEAR FINANCIAL PLAN 2019 - 2023 **SCHEDULE A Cont'd**
CONSOLIDATED OPERATING SUMMARY

	2019	2020	2021	2022	2023
TRANSFERS TO (FROM) OTHER FUNDS / RESERVES					
Interest Paid to Reserves	2,000,000	2,146,090	2,245,044	2,342,468	2,442,957
Recreation Works Charges Reserve	305,350	300,000	300,000	300,000	300,000
Transportation Works Charges Reserve	260,257	250,000	250,000	250,000	250,000
Employee Housing Charges Reserve	-	45,000	45,000	45,000	45,000
RMI Reserve	2,747,590	2,475,000	2,250,000	1,950,000	1,050,000
2% MRDT Reserve	1,617,656	650,000	315,000	- 185,000	- 82,000
General Capital Reserve	4,716,967	4,787,722	4,859,537	4,932,430	5,006,417
Parking Reserve	-	-	-	-	-
Parkland and ESA Reserve	-	-	-	-	-
Vehicle Replacement Reserve	992,582	1,240,000	1,000,000	1,000,000	1,000,000
General Operating Surplus (Deficit)	-	-	-	-	-
General Operating Reserve	1,454,860	1,575,000	1,575,000	1,575,000	1,575,000
Water Works Charges Reserve	47,500	50,000	50,000	50,000	50,000
Water Capital Reserve	3,180,586	3,228,295	3,276,719	3,325,870	3,375,758
Water Operating Reserve	573,375	581,976	590,706	599,566	608,560
Water Operating Surplus (Deficit)	-	-	-	-	-
Sewer Works Charges Reserve	198,770	200,000	200,000	200,000	200,000
Sewer Capital Reserve	2,016,569	2,046,818	2,077,520	2,108,683	2,140,313
Sewer Operating Reserve	448,568	448,568	448,568	448,568	448,568
Sewer Operating Surplus (Deficit)	-	-	-	-	-
Solid Waste Capital Reserve	861,890	874,818	887,941	901,260	914,779
Solid Waste Operating Reserve	(32,359)	(32,917)	(34,048)	(35,220)	(36,435)
Solid Waste Surplus (Deficit)	-	-	-	-	-
	21,390,162	**20,866,370**	**20,336,987**	**19,808,625**	**19,288,916**
REVENUE LESS EXPENDITURE AND TRANSFERS	0	0	0	0	0

RESORT MUNICIPALITY OF WHISTLER
FIVE-YEAR FINANCIAL PLAN 2019 - 2023
CONSOLIDATED PROJECT SUMMARY

BYLAW 2240, 2019
SCHEDULE B

	2019	2020	2021	2022	2023
REVENUE AND OTHER SOURCES OF FUNDING					
General Fund					
Government Grants	1,903,110	232,000	250,000	92,500	-
Contribution from Developers	-	-	-	-	-
Equipment disposal proceeds	-	-	-	-	-
WHA construction loan	-	(5,000,000)	-	-	-
Other Contributions	200,000	-	-	-	-
WCSS loan payments	50,000	50,000	50,000	50,000	50,000
Water Fund					
Government Grants	558,659	-	-	-	-
Other Contributions	-	-	-	-	-
Sewer Fund					
Government Grants	-	-	-	-	-
Solid Waste Fund					
Government Grants	390,000	-	-	-	-
	3,101,769	(4,718,000)	300,000	142,500	50,000
EXPENDITURE					
General Fund					
Non-capital Expenditure	2,078,375	1,353,198	624,067	734,751	434,476
Infrastructure Maintenance	14,988,055	12,133,200	6,641,300	4,989,600	3,694,200
Capital Expenditure	10,950,089	3,388,060	2,009,520	2,990,228	2,591,054
WCSS loan	-	-	-	-	-
Water Fund					
Non-capital Expenditure	893,500	957,500	1,698,500	1,794,500	390,500
Infrastructure Maintenance	4,604,000	2,515,000	1,405,000	3,025,000	580,000
Capital Expenditure	5,000	120,000	-	-	-
Sewer Fund					
Non-capital Expenditure	785,000	597,000	827,000	817,000	617,000
Infrastructure Maintenance	5,874,000	3,695,000	4,675,000	3,210,000	2,210,000
Capital Expenditure	570,000	3,140,000	520,000	-	-
Solid Waste Fund					
Non-capital Expenditure	105,000	40,000	40,000	40,000	-
Infrastructure Maintenance	455,891	447,428	422,428	332,428	322,428
Capital Expenditure	630,000	150,000	50,000	-	-
All Funds					
Depreciation	12,346,893	12,746,893	13,146,893	13,546,893	13,946,893
	54,285,803	41,283,280	32,059,708	31,480,400	24,786,551

RESORT MUNICIPALITY OF WHISTLER **BYLAW 2240, 2019**
FIVE-YEAR FINANCIAL PLAN 2019 - 2023 **SCHEDULE B Cont'd**
CONSOLIDATED PROJECT SUMMARY

	2019	2020	2021	2022	2023
TRANSFERS (TO) FROM OTHER FUNDS (RESERVES)					
RMI Reserve	5,953,280	4,599,480	1,789,480	495,480	369,080
2% MRDT Reserve	1,072,282	701,000	626,000	626,000	620,300
General Capital Reserve	8,705,550	4,328,544	1,500,278	969,779	883,574
Recreation Works Charges	1,528,321	600,000	400,000	600,000	-
Vehicle Replacement Reserve	3,264,813	1,454,916	880,000	2,341,245	1,925,089
Library Reserve	62,000	35,000	60,000	35,000	45,000
General Operating Reserve	2,087,163	1,851,016	1,621,625	1,664,569	1,461,679
Transportation Works Charges	3,240,000	3,072,500	2,147,500	1,890,000	1,415,000
Water Capital Reserve	4,765,341	3,413,125	2,935,000	4,540,000	780,000
Water Operating Reserve	358,500	192,500	183,500	279,500	190,500
Sewer Capital Reserve	6,264,000	6,821,875	5,180,000	3,210,000	2,210,000
Sewer Operating Reserve	785,000	597,000	827,000	817,000	617,000
Solid Waste Capital Reserve	695,891	597,428	472,428	332,428	322,428
Solid Waste Operating Reserve	105,000	40,000	40,000	40,000	-
	38,887,141	28,304,386	18,662,815	17,841,007	10,839,658
ADJUSTMENTS FOR NON CASH ITEMS AND CHANGES TO NET FINANCIAL ASSETS					
Depreciation	12,346,893	12,746,893	13,146,893	13,546,893	13,946,893
WCSS loan	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)
WHA construction loan	-	5,000,000	-	-	-
	12,296,893	17,696,893	13,096,893	13,496,893	13,896,893
REVENUE AND TRANSFERS LESS EXPENDITURE	-	-	-	-	-

[redacted]

6th Sep 2019

Attention: Mayor and Council
Resort Municipality of Whistler

Subject: Rezoning Proposal No. RZ001157
5298 Alta Lake Road
Empire Club Development

Dear Mayor and Councillors:

My Wife and I own both the property at [redacted] and the currently undeveloped Strata Lot on [redacted]. When we purchased our home and the neighbouring plot over 3 years ago we were aware the area around 5298 Alta Lake Road had been zoned for a development of some sort that included properties spread across the wooded areas. We have no objection to a development of this sort, thoughtfully designed to be in sync with the local environment.

Having reviewed the document's associated with the rezoning application above, we are extremely concerned that a developer can apparently run roughshod over the zoning restrictions. The application as it stands effectively allows building of a development totally out of keeping with the surrounding properties both on Jordan Lane and Nita Lake Drive.

The proposed development would also have a significant impact on the environment with the clearing of a substantial number of trees that are currently crucial for the absorption of greenhouse gases.

The development is massively oversized for the area with none of the spacing of properties as we had been led to believe. Further, the roads around our property are reduced to single lanes during the winter. There would need to be a detailed plan and explanation of how the infrastructure could deal with the additional traffic this development will bring and the further problems created on Alta Lake Road.

We are supportive of the area being developed with more housing in keeping with the existing environment and the surrounding area. We

are not supportive of this development, it seems a totally inappropriate location for staff housing given its vicinity and lack of infrastructure.

We have been tax payers to the Whistler Muncipality now for over 15 years – we would be deeply disappointed to see the council support a totally inappropriate development of this sort.

Yours Sincerely

Dr Brian Gilvary [redacted]

[redacted]

Mrs Joanne Louise Gilvary [redacted]

[redacted]

[redacted]

September 5, 2019

To: Mayor and Council
Resort Municipality of Whistler

Dear Mr. Mayor and Councillors:

Re: Submissions from the Nita Lake Estates Strata
On Rezoning Proposal No. RZ001157
5298 Alta Lake Road
Empire Club Development

I am the President of the Strata BCS556, "Nita Lake Estates" and I am writing on behalf of myself as an owner and all owners of the Nita Lake Estates.

The Owners of Nita Lake Estates are opposed to the current rezoning application and development plan for 5298 Alta Lake Road for a variety reasons.

We are not against development and fully understand the need for more employee housing for Whistler but want to ensure it is the right development for the Whistler Community, is consistent with the surrounding neighbourhood and of course is respectful of the neighbours and minimizes the impact on our well established community consisting of the employee housing units of the Nita Lake Residences and the estate homes of the Nita Lake Estates.

We are hopeful that, as long- standing residents and tax payers of Whistler, our views and voices will be heard and respected by council and indeed by any developer who intends to develop around Nita Lake ("the Lake").

It is important to ensure that this development meets the guidelines for "Employee Housing on Private Lands, March 26, 2019" and the new OCP for Whistler currently in its third reading. For reasons which follow we do not believe the proposed development meets these guidelines.

In the course of preparing this submission we have had many meetings with our Strata members and other residents who live around the Lake. In the course of doing this we have reviewed the relevant documents including:

- The Administrative Report to Council Dated May 21, 2002, Subject London Mountain Lodge on Nita Lake Consideration of Bylaw Adoption
- Zoning and Parking Bylaw 303, 2015 that outlines Bylaw no. 1497 TA17 Zone
- Land Titles Document BT215122 and BT215124 filed June 20, 2002 which outlines all covenants currently registered on the property
- Land Titles Document BX121192 filed March 16, 2005
- Administrative Report to Council February 26, 2019, Subject Private Employee Housing Proposals- Revised Evaluation Guidelines and Consideration of Rezoning Applications with March 26, 2019 revised guidelines
- Whistler's Community Plan and Vision Update 2019
- Whistler 2020 – Moving Toward a Sustainable Future
- Section 904 of the ***Local Government Act***
- *Lambert v. RMOW* 2004 BCSC 342

In addition, we submitted a Freedom of Information Request for all plans and correspondence related to this rezoning application and have reviewed the information we received, albeit much of this information was very limited since much of the information was redacted.

Based upon our review, it is abundantly clear that the current rezoning proposal is inconsistent in terms of density, concentration and visual impact with how our strata neighbourhood and adjacent neighbourhoods have been envisioned and developed on the shores of Nita Lake. In order to build this development in its current form, there will need to be substantial clear-cutting of this very sensitive lakeside area. There is no other lake in Whistler that has this type of proposed density and market rental housing. With the Nita Lake Lodge, the Lake is already at its capacity for commercial use. Nita Lake needs to be preserved and cared for. Surely the citizens of Whistler deserve to have its elected Council Members protect these precious assets and in particular hold any lakeside developments to higher standards.

The Planning Department is very aware of the proposal under RA309 ("London Mountain Lodge") which created the existing TA 17 zoning. On April 2, 2019, Roman Licko wrote to Caroline Lamont, the point person for the Bethel Lands Corp. and indicated that *"the intention was always to maintain the existing natural setting. This scheme found support as a site sensitive development."* At this point of the process, the Planning Department already realized the proposal was not in keeping with the existing zoning. Through the FOI request, it was revealed that even as early as December 4, 2017, Jan Janson was questioning this location for employee housing in a discussion with Mike Kirkegaard after a discussion with Michael Hutchison that morning and prior to his final purchase of the property.

In addition, the RMOW was very aware of the controversy this rezoning proposal would create. On April 8, 2019, Ted Battiston wrote to Mike Kirkegaard, indicating *"given the primary residence of the Director of Planning to this property, that the rezoning is quite significant in nature, and that the proposed rezoning will likely be both quite public and potentially contentious, Legislative Services feel that it is in the best interest of the organization and of the application review process to have Mike K avoid all work on the file."* Yes, this is a proposal that will be aggressively fought by many.

DEVELOPMENT NOT CONSISTENT WITH PRIVATE EMPLOYEE HOUSING GUIDELINES and OCP

When looking at the revised Private Employee Housing Proposal Guidelines [with reference to paragraph numbers of the revised guidelines], the following criteria appear to have been ignored or overlooked in the current rezoning proposal:

1. *Paragraph 12. Proposed densities, scale of development and form of housing should be appropriate for the site context. Impacts on scenic views, and views and solar access for adjacent properties should be minimized.* The rezoning pushes all development to the south end of the property and results in a density increase of 65% over the current zoning. To achieve this in a way consistent with Firesmart principles, there is no doubt that significant clear cutting will need to occur to allow this density in such a small area. The developer, Michael Hutchison, took no care in maintaining any green space in his Baxter Creek development. This development will significantly impact the views from all areas around the lake. The market rental units are completely out of character with the adjacent properties as there are no other market rentals on the west side of the lake and are mainly single-family homes. The lot to the north of this property is also zoned for single family homes (RSE1). Hopefully the council would not consider turning that lot also bordering the Lake into market condos for the right price. In addition, the location of the proposed development entirely at the south end, provides very limited green separation from our Strata. This once again is inconsistent with how our Strata has been developed and in particular has a direct and substantial impact on some owners of the Residences at Nita Lake and the Nita Lake Estates by providing limited or no green space between the properties and no noise barrier.

The proposed Official Community Plan Objectives (OCP), 3rd reading p. 46 states "Green buffers between neighbourhoods contribute to neighbourhood identity and livability. Trail networks provide connections to key destinations and promote walkability. They also extend access into natural areas for peace and tranquility, recreation, leisure and healthy living. Easy access to nature is fundamental to Whistler's quality of life and has been a primary consideration in the development and protection of Whistler's residential neighbourhoods." Where are the green buffers for this development?

2. *Paragraph 13. Proposed developments shall be within a comfortable walking distance to a transit stop, and in close proximity to the valley trail, parks and community facilities, convenience goods and services and places of work. Housing has been developed close to transit, pedestrian and bicycle routes and amenities to reduce auto dependency.* As stated in Whistler 2020 – Moving Toward a Sustainable Future, at page 47: *Residents live, work and play in relatively compact, mixed- use neighbourhoods that reflect Whistler's character and are close to appropriate green space, transit, trails and amenities and services.* Although, the developer will be required to build a Valley Trail that connects the north end of the property to the Valley Trail though the Nita Lake Estates (as per Document BT215121 and already an amenity part of the TA17 zoning), this development is not located close to transit, community facilities, convenience goods and services or places of work. Owners will require a car, thereby increasing traffic along Nita Lake Drive, then onto Alta Lake Road resulting in congestion at Highway 99. Although we understand the need for employee housing, this is not the best place for additional employee housing as it will only promote car use. This is a good example of how mixing and connecting private development with building employee housing creates compromises that is not in the best interests of the residents or indeed the employees.

3. *Paragraph 17. Additional traffic volumes and patterns shall not exceed the service capacity of adjacent roadways*. In continuation of the point above, Nita Lake Drive cannot handle any additional traffic. There is a blind corner on Nita Lake Drive that results in many near misses in the summer and winter between cars, bicycles and pedestrians. Bicycle traffic is increasing in the summer to access Creekside with many bikers riding side by side. Owners in the Residences at Nita Lake park freely on Nita Lake Drive. Children play on the roadway. In the winter the road is turned into a one way street as a result of parking at the entrance to Nita Lake Drive opposite the entrance to the Nita Lake Residences. The morning snow plow blocks cars along the road, leaving an unnecessary accumulation of snow on the roadway. The road is only one way coming around the corner and can be very dangerous in snowy and icy conditions with limited time to stop. There is parking on the sidewalks on a continual basis. If this development is to proceed, it must have its own access road from Alta Lake Road other than Nita Lake Drive. The exit from Alta Lake Road onto Highway 99 is difficult most times during the day but impossible after 2 or 3pm on any Friday to Sunday. There have been many near misses. This proposed development will increase wait times at this intersection without a timed traffic light but also push traffic through Alpine Meadows neighbourhood as a way of bypassing these traffic jams. The proposed development will create much more traffic along Alta Lake Road, a road that is windy and sometimes steep and that would become significantly more dangerous in the Winter if more and more traffic uses it. The development at 1501 Alta Lake road exacerbates all of these issues.

4. *Paragraph 4. Projects that are easily serviced and require minimal site disturbance, alteration and preparation are expected to have lower capital costs and are best-suited for further consideration. High cost projects that do not meet affordability objectives will not be supported.*
   And as stated in Whistler 2020 – Moving Toward a Sustainable Future, at page 47, continuous encroachment on nature is to be avoided.
   Paragraph 15. Previously disturbed sites, and sites that require minimal alteration and disruption are supported. Extensive site grading and alteration of the natural landscape should be minimized.

Paragraph 16. The proposed development shall not have unacceptable negative impacts on any environmentally sensitive lands and shall adhere to all development permit guidelines for protection of the natural environment and applicable provincial and federal regulations.
The land on this site has a very steep slope and will most likely require significant site preparation and retaining walls before anything can be built. A large number of trees will have to be cut to comply with Firesmart guidelines and although promises are made, it is more than likely the developer will ensure trees come down to maximize the views for those buying the market rental townhouses. The proposed development is completely contrary to the employee housing guidelines' direction to minimize alteration of the natural landscape on this lakefront location.

5. *As stated in the February 26, 2019 Administrative Report to Council, "It is recommended that the guidelines would apply to any current rezoning application and any that may be received by the municipality that proposed employee housing as a community benefit to realize a change of use, increase in density or increase in the accommodation capacity for a property.*
In this case, just because the developer is providing an increase in the employee housing and park land does not mean the rezoning should be automatically approved. In order to provide the park space, the density of the development along the Lake is being increased 65%. The park land proposed would be a wildlife park and only accessible by the valley trail as well as the residents of the employee housing and rental units. Whistler already has difficulty with these parks with noise and enforcing bylaws. Undoubtedly, this difficult to access park would lead to increased noise for all owners surrounding the lake. Noise really carries across the lake in all directions and between the rental units and late night park use, the bylaws department will be busy. In addition, the developer is also providing a green space parcel to be used for future development. This provides uncertainty to the owners of Nita Lake Estates for future increases in density. As it stands the proposed development already exchanges amenities for changes in land use zoning.

ENSURE THE ZONING IS FAIR, CONSISTENT AND LEGAL

It is our understanding that the development plan approved for the London Mountain Lodge could not be built today. In fact, the Bethel Lands Corporation is well aware that "the London Mountain Lodge could not be built in its current form given the changing riparian situation of the site and regulations" (email from Caroline Lamont to Roman Licko and Mike Kirkegaard, April 2, 2019). The TA17 zoning was passed specifically for this type of approved site sensitive development as a "wilderness retreat" before the approval for Nita Lake Lodge and Nita Lake Estates development. In exchange for the TA17 zoning, the developer was providing a total of 7 employee cabins, 5 for employees including a resident caretaker and two for artists-in-residence who would be participating in the proposed Whistler Artist in Residence facility in the "to be" restored Hillman Cabin (the original Toad Hall) and Barn. At the time the RMOW thought these were appropriate facilities and accommodation that was needed. Given that this development never materialized, we have to question whether this market rental rezoning proposal should continue. Whistler residents are now looking at zoning that went from a single-family home over 39,100m2 to a 4600m2 development over 39,100 m2 to a 6000m2 development over only 28,400m2 all on site sensitive lakefront property. Is this in the best interests of Whistler?

IS THIS THE BEST PLACE FOR NIGHTLY TOURIST ACCOMODATION?

Is nightly tourist accommodation what is needed for this site? Would this type of accommodation so far away from any amenities and services and with no lake access be a desirable rental? There is no easy way for people to get back late in the evening from the village except to drive or take a taxi. It is doubtful that high end rental accommodation would be successful in this area. There may issues of liability as renters attempt to cross the

railway tracks at all hours, winter and summer. We question whether adequate research has been done to support the viability of high end nightly tourist accommodation in this location.

On a personal note, it should be pointed out that my home is my primary residence and I spend most of my time here. My husband and I after over 25 years of spending every holiday and weekend in Whistler with our children, decided to call Whistler our retirement destination and built a new home in Nita Lake Estates. We love it here. We were aware of the current TA 17 zoning as were others who purchased and built homes in the Nita Lake Estates. What we did not factor in was our elected officials selling out on us to a developer that needs to recoup the price he paid for the land, thinking he could just get the land rezoned for higher density by offering the "buzz" items to the Planning Department when he was very aware of the current zoning when he purchased. There has to be a compromise and due consideration given to current residents and tax payers.

Summary

We would like to see you as the Mayor and your council reject this "Request to Proceed" and look at more appropriate proposals for the use of this land. Ideally, we would like to see the property returned to single family zoning with homes strategically located to preserve the natural setting and minimize the impact on the lake as well as the traffic with an appropriate green buffer between the neighbourhoods. The OCP (5.1.27. policy) allows for cash in lieu contribution that could be used to enhance employee housing being built in another more suitable location which may be a very good compromise in this situation. Given the number of employment ads in the Pique, it seems employee housing that is different than 3 bedroom townhouses is required by the municipality. With this scenario, the developer would benefit, the municipality could maintain green space, relocate the historic Hillman cabin, build more appropriately located employee housing and most importantly have the extension of the valley trail built. Surely we will not be the only group concerned about the loss of the lakeside environment.

The employee housing problem needs to be solved but, consistent with the employee housing guidelines, not at the expense of destroying the natural environments around Nita Lake (see photos) and not by trading an unimaginative and uninspiring development for it.

The Owners of Nita Lake Estates look forward to working with the Council to creating an appropriate solution for this development and to ensuring Whistler remains the one of the best resorts in the World. For that to be achieved, developers and developments have to be held to very high standards and the residents and tax payers of Whistler need to be happy.

Sincerely,

Cheryl Green
President Strata BCS556, Nita Lake Estates
[redacted]

Drone Photos of 5298 Alta Lake Drive

-----Original Message-----
From: lianne gulka[redacted]
Sent: Friday, September 06, 2019 5:12 PM
To: corporate <corporate@whistler.ca>
Subject: Attention Mayor and Council re: Empire Club Development

September 5,2019

Re: Empire Club Development

Dear Mayor and council:

As a concerned member of the Nita Lake Estates Strata, I am writing with feedback regarding this development proposal that could change the shape of our community for decades to come.

I understand the development proposal has changed significantly from the original zoning arrangement and we are concerned about the ramifications.

Arguably, there is a need for employee housing in Whistler which we do not dispute, however, responding to this issue must balance all needs of the community.

Nita Lake is a jewel in Whistler which we are fortunate and privileged to enjoy. Ramming increased density through without thought to the impact on the environment and the community is a crime.

Nita Lake is one of the smallest lakes in Whistler and should be maintained without having environmental risk and being damaged by increased density, traffic, noise, etc.

Our concerns for this proposal are not limited to the following:

A proposed density increase of 65% from the original zoning seems unreasonable for a lake the size of Nita Lake at 10.4 hectares. Alta Lake by comparison at 105 hectares is 10 times the size of Nita Lake, and has no commercial density.

Green Lake, the largest in Whistler (200 hectares) has no commercial density outside of the Nicklaus North development, yet our lake which is 1/20th the size is being subject to proposed increased density.

Increased concentration with buildings crammed into 7 acres rather than the original 10 acre proposed density will result in a much different type of development. Green space will not be maintained, the flavour of the community will be hugely impacted particularly with views opposite the lake from the valley trail , the railway, and the gondola.

Is clear cutting the image and impression we really want to give both locals and tourists?

Tourists at Nita Lake Lodge will also be impacted by increased noise both during construction and from increased density upon completion as noise bounces given the water and elevation changes.

We are a group of concerned Nita Lake citizens wanting to maintain the “jewel” in our front yard long-term.

Please ensure that ALL community needs are balanced and thought out before giving concessions to the developer based on short-term gains.

Thank you in advance for your thoughtful consideration and due diligence.

Regards

Lianne Gulka and Carl Hoyt

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]
[redacted]

-----Original Message-----
From: Jim Young [redacted]
Sent: Saturday, September 07, 2019 11:22 AM
To: corporate <corporate@whistler.ca>
Cc: Jim Young [redacted]
Subject: 5298 Alta Lake Road development

Mayor and Council

From: Jim & Judy Young
[redacted]
[redacted]

Our home is located in Nita Lake Estates , the neighbouring property to the proposed development and thus directly affected by this development.

I understand the trade off the RMOW is involved in by trading density to the developer in return for more " employee housing " . The housing is needed so the challenge is to not have the density adversely affect either the environment or the neighbouring properties . As proposed, we believe the development has room for improvement to meet this goal.
I have a long shot suggestion. Figure out how to access this new development off The west side road without coming down through the Nita Lakes Estates Road. This would almost completely solve the concern of everyone in our development about the problem of increased traffic. If ALL the cars coming and going into this new development have to come in via our road it will be a serious increase that adversely affects the safety of our kids and grandkids and causes risk that obviously doesn't suit us.
We are also concerned about zoning allowing nightly rentals and the huge increase in traffic and noise from that.
Second we would like to see a bigger buffer between our development and this new one. Noise abatement being the biggest factor here but also sight lines and ease of passage from one to the other.
Third, how are all the people from this new development going to cost share the cost of snow removal on the portion of the Valley Trail that we are currently paying for ? Also the costs of repairs and maintenance for the trail.
Thank you for your consideration of these comments and others from the neighbours.
Tours sincerely,
Jim & Judy Young

Chris Young

Home
[redacted]

Whistler
[redacted]

Mobile
[redacted]

Attn: Mayor and Council

Re: Proposed Townhome Development at 5298 Alta Lake Road (overlooking Nita Lake)

As a neighbour of this development, I am writing to convey my significant concerns with the development as currently contemplated.

While not a full-time resident, my young family and I are fortunate to spend a regular portion of the winter at the family home in Nita Lake Estates. The neighbourhood is very much one of peace and quiet, what one would expect around a pristine lake. The ability to have a home here, far from the tourists, crowds, and noise of the village, was fundamental to our choice of building here. The currently proposed development at 5298 Alta Lake Road puts that at risk.

The currently proposed development to our North is not in keeping with the form and character of neighbouring developments. Specifically, the density and building locations are a far cry from the design esthetic in place immediately next door at Nita Lake Estates. Further, the increased traffic on what is effectively a narrow laneway each winter, puts the significant number of people who walk it at greatly increased risk of injury or worse. Last, the siting and the density puts the lake health at risk. As a result, we respectfully request that the proposed development be rejected in its current form.

To be considered, the development should be altered as follows:

1. Reduce density, to support Single Family Homes only
2. Have the developer supply the necessary employee housing in a location with better access to transit and that is more conducive (and likely in a form more in keeping with what temp employees are looking for – which is not 3-bedroom townhomes)
3. Site the homes appropriately and in keeping with the neighbourhood:
    a. Back from the water
    b. Dispersed around the site, with discrete building sites and green space around each home
    c. Maintain a set-back between this development and neighbours
4. Introduce a separate access road to the development directly off Alta Lake Rd
5. Eliminate nightly rentals from the zoning

Finally, any addition of traffic on the West Side will put increased pressure on the Hwy 99 & Alta Lake Rd interchange. This is already a VERY difficult left turn on weekend and powder mornings. Risk of injury is high, as pedestrians don't always wait for the light when a transit bus is approaching, and drivers can regularly be seen leaving their cars to push crosswalk buttons. Neither is a safe or sustainable practice and both will lead to injuries if the situation isn't remedied, which it will need to be prior to the approval of any additional development on that road.

5298 Alta Lake Road is a beautiful site. Please ensure any improvements on the site are truly that, are in keeping with the neighbourhood, and that they justify the site's development.

Kind regards,

Chris Young

Mayor & Members of Council
Resort Municipality of Whistler

RE: Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake

Dear Mayor and Councillors

I represent the owners of Whistler Mountain Ventures Ltd., known as Alpine 68, at 2010 Nita Lane, Whistler.

We are concerned about the proposed development at 5298 Alta Lake Road, directly across Nita Lake from our property. This revised development, under consideration now, will require a change to the existing zoning, from TA17 site-sensitive hotel to town homes. It adds another 20,000 square feet of density, because the RMOW is insisting on more employee housing. This development appears to be above the density limits as defined by the municipality. Employee housing at this location makes very little sense, as no amenities and no public transit are available. This increase in density will only add to traffic issues at the south end of town, an area already overloaded at certain points of the day/ season due to incoming and outgoing traffic from the south. This new proposal we believe will also cause a significant increase in clear cutting, over the existing usage plan for this property, which will be both aesthetically negative and may bring about environmental issues to the lake. We would also like to stress how small Nita Lake is compared to many of the other local lakes, which means that developments need to be in scale to this surrounding. Nita Lake is one of the last "natural looking" lakes in the Valley, and it would be a long-term loss to have large scale developments right on the shore.

We urge that this site be returned to single family residential homes as it was with the RR1 (now RSE1 zoning), in keeping with the character of the Nita Lake neighborhood. To that regard, we understand that the Tyrol Lodge property may eventually be re-developed and hope that the plans for that also follow in keeping with the character of the area.

We, the owners of 2010 Nita Lane, ask that the following be considered:

1. Provide sufficient set back of the development to the north from the Nita Lake Estates property line so buildings can't be seen. It is currently crammed up against the existing residences which is unnecessary.
2. Overall density reduced back to 49,500 square feet, as allowed in the current TA17 zoning. We want employee housing reduced to 5 units as per the current TA17 zoning (including one manager cabin) and return of the two artist-residence cabins.
3. All designated green spaces to remain that way. A moratorium on further development or encroachment must be provided, as opposed to what is currently contemplated, which is possibly more employee housing down the road.
4. Disallow AirB+B type nightly rentals of the townhomes for 10 months of the year (owner occupied for 2 months). The town homes should be similar in character to the Nita Lake Estates with rental privileges consistent with normal residential 30 day minimum.
5. No docks or tie up allowances for water rafts and no commercial lake activities. NitaLake is too small.
6. Eliminate the proposed swimming pool and include a code of conduct to restrict noise, ban amplified music, etc., enforceable by By-law services
7. Assurances the park reserve will be monitored 24 hours, if need be, using by-law enforcement services.

We think this development has too many serious drawbacks, is an inferior planning choice, and provides a poor location for the employee housing.
We urge RMOW to abide by its density recommendations, consider a better choice of residential housing on this lake front land and abide by the Local Government Act in the way employee housing and other community amenities are extracted from developers.

Thank you for your consideration,

Tom Duguid
On behalf of Alpine 68 owners
[redacted]

Keith & Lindsay Lambert

[redacted]

September 9, 2019

Mayor & Council

Resort Municipality of Whistler

4325 Blackcomb Way

Whistler, BC

Dear Mayor & Council Members,

Proposed Townhome Development at 5298 Alta Lake Road (Hillman) on Nita Lake

We have resided on Nita Lake for close to 20 years and we have reviewed the development under consideration on the 10 acre property on the western shore of the same Lake and have grave concerns about it.

With all due respect, we must "call time" on the practice of employee housing and other "community amenities" driving outsized and not best of use development. In the process, the adverse impact to your tax paying residents is never adequately considered. The Local Government Act protects us from our own municipality bargaining for amenities in return for such disagreeable land use change.

This proposed project requires massive clear-cut damage to the beauty of the environment. Surely, we all agree the standards for lake front development must be higher than normal; after all the site is near proximity to the train station and visitors disembarking and using the valley trail will be enjoying a good experience until they see this blight on the neighbourhood.

With 7 or 8 townhouse blocks of roughly 10,000 square feet each, this development is too large, has too much density, is out of character with the neighbourhood and it smacks of a desperate grab for employee housing, which it is.

The drive for employee housing is compromising development and the neighbouring taxpayers suffer the consequences in many ways, not only having to endure years of construction but a lifetime of mis-development to live with.

As for the revised development, under consideration now, it is a land use change rezoning, from TA17 site-sensitive hotel to town homes and adds yet another 20,000 square feet of density because the RMOW is insisting on more employee housing. In turn the developer needs more units to sell, and it goes on and on. The same property has gone from a 6,500 square foot single family home, to a 50,000 square foot hotel and now to a 70,000 square foot town home development.

There are several major planning blunders in this proposal. The employee housing is located too far away from any amenities, like grocery shopping, and public transportation on Alta Lake Road has been discontinued. The access road via Nita Lake Drive, purportedly of municipal standard (which it isn't because it is reduced to a single lane in winter), is inadequate to service both the existing residences and the proposed development; there is a serious safety concern unaddressed. The traffic jam at Alta Lake Road and Hwy 99 is already a result of too much development on the west side road and resembles the notorious juncture at Taylor Way and Marine Drive in West Vancouver where you can't make a left turn due to traffic congestion. Further, how wise is it to have 15 employee housing units along the open CN rail track between the houses and the allure of the Lake?

This development has the hallmarks of a commercial real estate failure. Buyers will reject these market town homes when they are face to face - with no separation - with the lesser employee housing town homes. Row employee housing on the left and row market town homes on the right is an unattractive offering. Can't we do better for valuable lake front development?

Along with other Nita Lake residents, we stand as a group united in urging this site be returned to single family residential homes (as it was with the RR1, now RSE1, zoning) , in keeping with the character of the 14 unit Nita Lake Estates development to the south on 23 acres, and the zoning at 5157 Alta Lake Road, if that were ever to be developed. If RMOW were to change zoning back to single family residence (as it was before), then legally increase density zoning to add another 5 or so residential homes and in doing so bargain for employee housing (located elsewhere in a more suitable place) and other amenities, then, the Nita Lake Estate residents will accept access through their neighbourhood. In this way the developer would avoid the need to add an access road for 5298 Alta Lake Road.

Failing the preferred planning option above, which would be unfortunate, our group could reluctantly countenance what is going on, in the interests of not having another legal row between taxpayer residents and the RMOW over the same improper development, provided critical infrastructure issues can be resolved satisfactorily.

1. There must be a timed traffic light at Hwy 99 and Alta Lake Road. It is already nearly impossible to make a left-hand turn onto 99 and on occasions when you can, it is only into a traffic jam from southbound cars trying to get into Whistler. However, the traffic light is still a must.
2. 5298 Alta Lake Rd will need its own access road negotiated with the upside land owner. It cannot use Nita Lake Drive due to safety concerns.

These are fundamental issues and if they cannot be resolved this development cannot proceed.

Assuming these changes can be made, for us to not oppose this development, we need the following changes:

1. Provide sufficient set back of the development to the north from the Nita Lake Estates property line so buildings can't be seen. It is currently crammed up against the existing residences which is unnecessary.
2. Overall density reduced back to 49,500 square feet, as allowed in the current TA17 zoning. We want employee housing reduced to 5 units as per the current TA17 zoning (including one manager cabin) and return of the two artist-residence cabins.
3. All designated green spaces to remain that way. A moratorium on further development or encroachment must be provided, as opposed to what is currently contemplated, which is possibly more employee housing down the road.
4. We don't want **AirBNB** nightly rentals of the townhomes for 10 months of the year (owner occupied for 2 months). It is not a trailer park and we want an offering that will attract a different clientele. We want the town homes similar to the upscale character of the Nita Lake Estates with rental privileges consistent with normal residential 30 day minimum.
5. No docks or tie up allowances for water rafts and no commercial lake activities. The Lake is too small.
6. If railway fencing is required, since it notoriously gets bent out of shape; it must be colour shaded with strict obligations to be maintained.
7. Eliminate the proposed swimming pool and include a code of conduct to restrict noise, ban amplified music, etc., enforceable by By-law services
8. Assurances the park reserve will be monitored 24 hours, if need be, using by-law enforcement services.
9. We want to understand what development lies ahead at neighbouring Tyrol Lodge, before agreeing to this one.

If the single purpose employee housing development at 2077 Garibaldi Way has run into serious local resident opposition, then what do you think is going to happen here? The former is a far better site for employee housing than this one. Comparatively, this proposed development is way more controversial and we don't want this development in our neighbourhood either.

We think this amended development still has too many serious drawbacks, is an inferior planning choice, and provides a poor location for the employee housing – there is no public transportation and it is a long way from the Creekside facilities and amenities.

In consultation with the with our working group comprising pretty well all Nita Lake property owners, the developer, and RMOW we urge you to come up with a smart residential housing plan for this site and something we can proud of.

Thank you for your consideration.

Sincerely,

Keith & Lindsay Lambert

ALKARIM TEJANI & SHELINA LALANI

[redacted]

Mayor & Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC

Re: 5298 Alta Lake Road. Sept 10/2019

Dear Mayor & Council Members

We have lived at [redacted] for over 10 years. We bought the property and built the home because of [redacted]s surroundings. We immigrated to Canada about 35 years ago with little but ourselves. In our high schools days we would be lucky to drive to whistler for the day maybe only once in 3-4 years. Whistler to us was an amazing place and it is that to many people close to it and around the world. We were lucky enough to be able to build our careers and lives and build our dream house in Whistler. We choose Whistler because of the nature and mountains and the feeling that one gets when you come here.

Many residents have detailed many valid reasons not to approve this development and while we agree with many of them we wish to point to a larger issue.

Whistler has a unique place in the world and in Canada and in BC. It for a lack of a better word has a brand or feeling it evokes. Think of many companies products or cities or regions of the world that have a unique “feeling associated with it”

The residents and mayor and council must do everything not to endanger this. This is the reason people visit here and want to live here. Once you “devalue” the brand or water down the sprit you can quickly lose all you have and people living here will not enjoy it either.

Development and providing housing is important and must be done and can be done in better ways.

To cite another example we have all eaten a “lite” version of a food or purchased a off shoot of a product ... and yes its that product “ a lite version “ but something is always missing and people notice. Next time they head away.

This development is “off brand” 65% increased development, AirBNB type rentals etc. We have all heard nightmares about these and in the long term it harm communities.

To summarize we oppose this development because it risks our most valuable resource the overall feeling of whistler. We urge the Mayor and council to look after and protect the long term values of our municipality .

Sincerely
Alkarim Tejani & Shelina Lalani

Paul D. Wood
[redacted]
[redacted]
September 9, 2019

Mayor and Council
RMOW
4325 Blackcomb Way
Whistler, BC.

Dear Mayor and Council.
Re: Proposed Development 5298 Alta Lake Road, Proposal # RZ001157

It has come to my attention the Empire Club has requested a zoning change on this land and I would like to voice my strong opposition to this project.

1. This project is not suitable for the surrounding area
2. The project does not meet many of the new OCP guidelines
3. This project has environmental concerns
4. This project has many traffic concerns
5. This location is not suitable for employee housing

I am surprised this proposal has even gotten this far and I would hope the Mayor and Council will take all of the letters of opposition seriously. The required signage for the posting of the rezoning application sits at the intersection of two dead end streets that get little to no community traffic. To date, the news of this ill-conceived rezoning application has only been passed along by word of mouth. When the Whistler community becomes aware, there will definitely be more opposition.

This is a developer who has clearly purchased this land at top dollar and is now trying to make his numbers work with a 65% increase in density. All Whistler residents and taxpayers should not have to pay the price for a developer to make a profit. It is my understanding that he has been given some direction and, support from key council members that he was on the right track before closing on this land purchase. This type of inside information and any close relationships that any of the staff or council members have with Empire Club ownership will be looked at closely as this project progresses. In a March 7, 2019 Pique Article, it was reported that as the head of Bethel Lands Corp., Hutchison's role on the WHA board was seen as a potential conflict of interest. Marla Zucht, general manager of the WHA defended Hutchinson by saying, "there was "really no opportunity" for Hutchison to benefit financially from his role, and that his perceived conflict was never an issue at the board table" and "(He's) not involved in any employee-housing opportunities in Whistler." However, from the FOI received, Hutchinson was discussing employee housing on 5298 Alta Lake Road with RMOW staff in December 2017. Yes, there does appear he had a conflict.

This project will be one of the most visible projects from Whistler Mountain in both the winter and, summer. I am sure that everyone including council revel in the beauty of Nita Lake and, trees seen from the ski hill and beyond. If council does not agree, I am certain most of the voting public will take a different view.

If council was serious with solving the need for transient employees housing problem, then they would allow more construction in the parking lots Vail owns or in other areas more suitable for this type of use. Businesses are having difficulty attracting and keeping employees. Vail is promoting a high end, exclusive resort and hopes to attract this type of visitor to Whistler. It will not take too long before these visitors (or any visitor for that matter) realize that Whistler cannot provide the high level of service they expect as we simply do not have the employees to provide the expected service level. We don't need 3-bedroom townhouses, we need affordable, dorm or suite style accommodation, close to the amenities, in particular, transit. In addition, residential neighbourhoods already suffer from illegal AirBnB's. If Council simply focused on shutting these down and fining owners, we would quickly see an abundance of suitable housing become available for employees of Whistler.

The OCP states that "Whistler is a community of distinct neighbourhoods, each with a unique character supporting diversity, variety and, choice in housing". It needs to be consistent with the surrounding area. The current proposal is not. If this site moves forward with development, then it should be zoned single family or large townhomes leaving large tracts of tree preservation. New housing cannot be allowed to destroy and disadvantage existing housing. Again, the OCP states *"Neighbourhoods have a harmonious relationship with the natural landscape, which remains predominant. And Green buffers between neighbourhoods contribute to neighbourhood identity and livability."* This developer's track record with preserving green buffers is a failure, if the clear cutting of Baxter Creek is any indication. Is this what council wants for the shores of Nita Lake? All existing owners with homes around the lake will suffer with the noise, destruction of the sensitive lake environment and the visual impact.

The area around Nita Lake already has sensitive riparian areas identified. This parcel also has a riparian area through the property. Whistler has no official Lake Development Plan. " Why when we have no Lakeside policy would Council be willing to give support for such a proposal?

The Whistler Hotel Association is predicting a downturn in tourist visits. This is not the location for nightly rentals. It is too far from the amenities required. Why approve this type of controversial nightly rentals in an area so far from the action when downturn is expected?

If rezoning is required, let's get it right. There are many profitable options available to the developer that will not negatively impact the existing owners on Nita Lake and the health of the lake itself. I am sure Council is well aware of the impact this site will have on the community and I assure you that the opposition has just started.

Sincerely

Paul Wood

[redacted]

Email: [redacted]

View from the Cloudraker Skybridge

E. Marsha Bennetto
David G. Thompson
[redacted]

September 10, 2019

Mayor Jack Crompton jcrompton@whistler.ca
Executive Assistant: Wanda Bradbury wbradbury@whistler.ca
Councillor Arthur De Jong adejong@whistler.ca
Councillor Cathy Jewett cjewett@whistler.ca
Councillor Duane Jackson djackson@whistler.ca
Councillor Jen Ford jford@whistler.ca
Councillor John Grills jgrills@whistler.ca
Councillor Ralph Forsyth rforsyth@whistler.ca
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V8E 0X5

Dear Mr. Mayor and Councillors:

Re: Submission Concerning Rezoning Proposal No. RZ001157
5298 Alta Lake Road/Empire Club Development

We are writing to express our concerns relating to rezoning proposal No. RZ001157.

Jordan Lane from its junction with Alta Lake Road to the roundabout is now a one lane road by virtue of its use for parking by tenants of the Nita Lake Drive condominiums and townhouses. Greatly increasing traffic on this stretch of road will be very problematic and create safety concerns given the number of small children who live in the Nita Lake Drive complex, the significant number of pedestrians who walk to work from the Nita Lake Drive complex and the significant cyclist traffic in summer months. Notably, a small playground, designed for pre-schoolers, is located on the west side of Jordan Lane on this stretch of road.

If traffic on the Jordan Lane road is to be substantially increased, the road will either have to be widened or all parking on this section of road will, at all times, have to be strictly prohibited. We urge you to visit this section of road.

Like many Whistler residents and tourists, we spend a great deal of time walking and biking on the Valley Trail. The Valley Trail is truly a legacy that contributes to Whistler's attraction as a tourist destination and the enjoyment by Whistler residents.

There would be a public outcry if any development created a significant visual impairment of the Nita Lake area. The skill of the planners involved in the previous developments on the west side of Nita Lake (Nita Lake Estates and the Nita Lake Drive condominiums and townhouses) should be applauded for designing developments that provide views for the residents of these developments and yet have minimal impact on the views of users of the Valley Trail and those who live on the eastern side of Nita Lake.

We think that any development plan that has a significant visual impact for the users of Valley Trail would be met with significant adverse reaction from the Whistler community.

We take a keen interest in watching the bears. Based on the substantial bear traffic that we have observed walk through our yard (which is down substantially this year), we are concerned about any development adversely affecting bear access to Nita Lake. A small population of bears regularly access Nita Lake travelling through the bush from Nita Lake approximately on the border of 5200 Jordan Lane and 5241 Jordan Lane through our lot (often up the outside stairs on our lot) en route to and from feeding areas in Nita Lake Estates, on the BC Hydro right away and in the Sproatt Creek and Millar Creek drainages. Because of the cliffs abutting the rail line and the railway station at Nita Lake Lodge, the bears do not commonly access highlands from directly east of 5237, 5233, 5229, 5225 or 5221 Jordan Lane. Because of all the clover grasslands that have been planted in Nita Lake Estates, the bears will always be drawn to Nita Lake Estates.

Access to and from Nita Lake is important for this small population of bears and it is essential that this access is not lost by deforestation. A greenbelt should be preserved so that bears can safely and comfortably travel through the neighbourhood. A greenbelt following the southern property line of 5298 Alta Lake Road would be helpful because the bears are currently using the forest in that area for access to Nita Lake Estates and the highlands above.

We thank you for your consideration.

Yours truly,

David Thompson
per

E. Marsha Bennetto
David G. Thompson

CC: Planning Department
planning@whistler.ca

Ross and Kris Clark

[redacted]

[redacted]

September 8, 2019

Mayor and Council

Resort Municipality of Whistler

4325 Blackcomb Way,

Whistler, B.C. V8E 0X5

Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake

My wife and I reside at [redacted] on Nita Lake. We have reviewed the development described above. We have been talking with our neighbours and have very serous concerns about the development.

We feel our community must be extremely careful to preserve to the extent possible its precious lakes. They are a wonder and certainly not commonly found in other ski resorts. Although it is relatively small, Nita Lake is the only lake in the valley with a substantial hotel on its shores. That does not mean that it should get more commercial development, it means the opposite. It is already beyond its limits in supporting hotel and commercial development.

I recall when the redevelopment zoning for 5298 Alta lake Road was granted almost 20 years ago. At that time we did not oppose it because it seemed reasonable and a sincere effort to develop the property in a way that preserved the views and would be compatible with its neighbours. That was before the Nita Lake Lodge was imposed on us. If anything council should be looking at reducing the current density of this property, not increasing it by 67%.

The environmental condition of Nita Lake should be assessed before considering any further development. I know that development has taken its toll on its condition. Care must be taken not to further environmentally erode this lake.

From our perspective Nita Lake is a very attractive part of Whistler. Most of the views are beautiful. The municipality has previously chosen to cut foliage adjacent to the lake so that the views are more easily seen from the Valley Trail which runs along the lake. The last thing I think the community would like to see is a clear cut development on the west side of the lake. A mini "Rainbow", which as I understand was developed by planning and approved by council in accordance with its processes. I have no doubt an effort will be made to hide the development but by the time the clear cutting is done and dangerous or suspect trees are removed I expect the result will be irretrievably disappointing for both guest and citizens. In addition, I expect that as time goes on, the owners of these properties will want to enjoy their views of the lake and we can expect the intervening forest to suffer as a consequence. In short, I do not believe that this property will ultimately contain high density, expensive homes with no view of lake. That will be another promise quickly broken and we will be left with the scars.

As a resident of the lake, I know that Nita lake has always been a relatively quiet part of the valley and that is one of the reasons I appreciate my home. The plans that I viewed showed pods of 5 unit townhouses for both the private an employee housing. Each unit had 2 parking spaces and there was an area for additional guest parking. There was an outdoor swimming pool, a hotel building etc. The owners are allowed to occupy their units for up to 2 months each year with only nightly rentals for the balance. The private portion is a 'motel' development. It will take new 'employees' to operate this hotel. What is the net increase in employee housing. I expect it will be marginal, but the community loss will be great.

It does not take any imagination to conclude that this development will be a source of overflow accommodation for the Nita Lake Lodge and a perfect sight for informal parties after weddings and other events hosted by the Lodge. This property is adjacent to a residential area and on a lake where sound is transmitted extremely well. I thought that activity was to be in the town centre where it can be regulated?

The access road via Alta Lake Road and Nita Lake Drive is inadequate. There is currently a growing need to put in a traffic light at Alta Lake Road and Hwy 99 although the many times the traffic congestion on Hwy 99 would pre-empt the effectiveness of the light. This development will make matters worse. Development on Alta Lake Road should not be considered until the congestion on Hwy 99 is resolved.

Nor is this location suitable for employee housing. Other than being housing for employees it does not meet the criteria established by council for employee housing. It is located too far away from any amenities. Public transportation on Alta Lake Road has been discontinued, presumably because of insufficient use. This is a relatively remote and poorly serviced part of the municipality. Driving will be imperative.

Council recently rejected a proposal for multi-storey employee housing at a site that was also poorly located but it did not possess the natural beauty and visibility of this site.

If there is to be development now, this site should be returned to single family residential homes (as it was with the RR1, now RSE1 zoning), and the new development should be in keeping with the character of the Nita Lake Estates development to the south. If the municipality rezoned the site to RR1 Or RSE1 zoning, it could then increased density to add residential homes to fit into the woods and at the same time bargain for employee housing (located elsewhere in a more suitable location) and other amenities. This should be done so the views from the lake are compatible with the existing Nita Lake Estates development so that it appears to be an extension of that development. This approach avoids further commercial development on the lake, will not materially affect traffic and provides a continuity to the views, all of which is important when development along the lake to the North is considered.

If the current proposal is approved, a developer of property along the lake to the north need only ask "what do I have to pay to get more", because the zoning and community interest are irrelevant.

In summary, we feel this is an unacceptable proposal. The real addition of employee housing is marginal. It is completely inconsistent and will create friction with its neighbours, it threatens the views from the Valley Trail and it will further increase our current traffic problems. If approved you will be turning a silk purse into a sow's ear. Surely we can do better.

Thank you for taking the time to read and consider our views,

Ross and Kris Clark

From Richard and Sandra Durrans

[redacted]

[redacted]

Letter to The Mayor and Council
Sept 9th 2019

Re Development at 5298 Alta Lake Road.

Sandra and I (Richard Durrans) are the owners of [redacted] in Nita Lake Estates. We are writing to you about the proposed development at 5298 Alta Lake Road, directly North of our property.

We strongly and vigorously oppose this proposed rezoning and development for many reasons, not only from a personal and strata perspective but also from a Whistler Community perspective. Sandra and I have been residents and taxpayers of Whistler for 30 years and we want to ensure that our neighbourhood is developed in good taste, that our Lakes are protected and also that Whistler remains one of the leading community resorts of the world. Allowing the development at 5298 Alta Lake is not consistent with these standards. It is too controversial and it contains compromises that as a community we do not need to make. We can do much better!

I have carefully reviewed the OCP and would like to applaud the council and the members of staff for a very thoughtful and excellent document that provides a comprehensive and exciting vision for Whistler's future. As residents of Whistler we should all feel comforted that we have such a document to guide us to ensure we remain a leading resort community over the long term. **However, this proposed development at 5298 Alta Lake is inconsistent with the OCP in so many ways** and does not come close to fulfilling the reasonable standards as outlined in the OCP. I have set out some specific comments below.

Also, while I fully understand the need for Employee Housing, this should be developed in the right place and in the right way. **Allowing higher density and a change of use for a few more employee housing units is not the right way. It is questionable from an environmental, moral and potentially legal perspective.**

To be clear, I am not against development and would understand if 5298 Alta Lake is developed, but in a way that is not destructive for Whistler and for our Nita Lake Community.

As current residents and taxpayers we cannot allow developers (who at the end of the day will not be part of our neighbourhood and who are driven by financial incentives) to spoil our community and "push through" inappropriate developments.

It is interesting to note that the OCP Vision Statement states "*We value our relationships and work together as partners and community members"*. The developer has never engaged us or any member of the Strata in discussions and conversation. **By not speaking to members of the local community he clearly has ignored the spirit of the OCP and does not appear interested in the well-being of the community and the residents of the Lake.**

My specific comments are the following:

1. Unusual development for a Lake at Whistler

Lakes are a special part of our community; they are a distinct part of the resort and a big part of why everyone enjoys being in Whistler in the summer and in the winter. Imagine Whistler without our Lakes, it would provide a very different feel. We are fortunate to have spectacular mountains and spectacular lakes to appreciate. Historically, these are the reasons why people originally came to Whistler. Let's respect and remember our history. Hence, we need to protect these Lakes and to hold them to higher standards for development compared to other areas. In deed in your Community Vision in the OCP you make specific reference to the lakes…*We protect the land – the forests, the lakes and the rivers, and all that they sustain.*

In particular, Nita Lake is a treasure and being the smallest Lake in Whistler needs special attention. Why is it then when I review Schedule A of the OCP (map of zoning), that there is only one pink zone (Visitor accommodation) on any Lake and that is on Nita (5298 Alta Lake Road). All other Lake sides are designated either green spaces or low/medium density residential. **Why is Nita Lake been treated differently and is zoned differently**? There is sufficient Visitor accommodation with Nita Lake Lodge…the Lake does not need more. **Why put high density/concentration housing on Nita Lake when it is on no other lake?** (see comment on density and concentration below. Also, I understand there are town homes on the south end of Alpha Lake, but these were approved and built in a different era and are not the standards we want to replicate today).

2. Why the substantial increase in Density?

One of the big problems with the proposed development is the increased density and changed use. This plot of land has changed zoning from single family home to a hotel/cabin TA17 zoning with 4,600 sqm build over 10 acres to now the proposed 6,000 sqm build over 7

acres. **This is effectively a 65% increase in density. What is the rationale for an increase in density on such a small Lake?**

If 4,600 sqm was thought to be the appropriate density for this land in 2004, why after significant development around the Lake over the past 15 years, is a higher density now viewed as appropriate. **The Lake and surrounding nature have not suddenly changed to be able to absorb more density. Surely if anything the density should be reduced rather than increased**.

All the other lakes have low to medium density around them *(see Schedule A of the OCP*) which also means a low level of concentration. The proposed development is for 5 five plexes and 2 six plexes…this creates a level of concentration which has not been developed on other Lakes over the past 20 years. No lake shore has had rows of townhouses developed on them and we should not start now when we have so many other reasonable ways to develop our Lakes.

3. Inconsistent with the OCP……trying to keep neighbourhoods harmonious.

There are many references in the OCP to support the case that this development is not consistent with your policies and not consistent with the existing neighbourhood.

For example, in the Our community Vision preamble, you state that: *Our neighbourhoods are mainly hidden in the trees, between extensive green spaces and parks, offering privacy and tranquility yet easy access to the bustle and vibrancy of town.*

There is a clear distinction between town and neighbourhoods, which makes lots of sense. The proposed development will not be hidden by trees (a large portion of the land will be clear cut) and there will be insufficient green space between our Strata and the development. **It seems that the developers are trying to build a "town" like development in an "out of town" neighbourhood. This is not consistent with the OCP.**

Further reference to the OCP shows the following: Chapter 5 Land use and development …our shared future states that **"** *Neighbourhoods have a harmonious relationship with the natural landscape, which remains predominant. And Green buffers between neighbourhoods contribute to neighbourhood identity and livability* and Policy 4.1.1.2 states that " *….within this corridor maintain a comprehensive network of natural areas,* open space *and parks that separate and provide green buffers between developed areas"*

So quite rightly the OCP emphasises the need for green spaces……with this development there will be inadequate green buffer between our development at Nita Lake Estates and the new development. This will have a significant negative impact on the character of our neighbourhood. We all purchased in this neighbourhood to be close to nature, to have beautiful views and to have tranquility away from the village. This development will significantly change all of this.

Respecting neighbourhoods and nature is a fundamental building block for the OCP. This development does not meet these standards.

4. Employee Housing…dealing with it in the right way

I agree with a focus on employee housing as an important way of building our community. It has worked well in our development at Nita Lake Estates and so we are not opposed to more employee housing. However, there is a cost to building employee housing and when you trade use and density for employee housing the cost is not borne by the developer, it is typically borne by the surrounding residents and community. This cost should be recognised and the aim should be to make any "cost" reasonable and fair.

However, why add density on a precious lake in Whistler in order to gain more employee housing? There is no need to do this. This leads to a sub optimal situation. Separate the location of the private housing from the Employee housing because they both have different needs. Put the private housing with the "right" density on Nita Lake and then locate the employee housing consistent with policy 5.1.2.5 *Consider allowing development of* employee housing *on underdeveloped private lands in residential neighbourhoods with close proximity to jobs, sustainable transportation, amenities and services and consistent with policies and criteria established for evaluation*

You state in the OCP that the Municipality has *"substantial Land bank that is available to be developed",* so land is not a problem. To help financing, get the developer to put "money in the pot" and so he contributes to funding the employee housing. **In this way the location/development and the financing are kept separate, leading to both these issues being optimised separately.**

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5. Overall density and development in Whistler…..time to be selective and careful

As a community we have already reached 90% of our development potential (54,652 bed units built out of maximum 61,513 bed units). I have assumed that the 61,513 is the maximum units that can be developed in Whistler in order that we can remain the healthy, vibrant and livable community that we all want. So we just have 10% more to go. **Let's be very selective and careful about how we develop this last 10%**. **They are a precious resource with limited supply**. **We do not have to approve marginal projects which upset whole neighbourhoods**. **5298 Alta Lake is less than a marginal project, it is far too controversial and inconsistent with**

the OCP to warrant taking up part of the precious last remaining 10%. We can afford to be very selective and careful about these last developments.

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6. Traffic and noise and safety issues

Along with density, comes traffic problems and noise issues. With 37 new townhomes each with 2 and 3 bedrooms, we can conservatively say there will be another 50 cars in the area (probably more). This creates 4 major problems 1) the Nita Lake Drive cannot handle this amount of traffic – primarily this is a safety issue with families using the road from the employee housing and this road being busy and difficult to navigate in winter conditions. 2) Alta Lake road is windy and steep and not well suited to a significant amount of traffic 3) the intersection at Alta Lake Road and the highway is already difficult to access – this will become a major issue with more traffic 4) the environmental cost of more noise and pollution on the Lake.

The noise issue goes much further than traffic generated noise; with over a 100 more people on the lake, most of them renting this will be a major noise concern at weekends. Already the noise issues at Nita Lake Lodge are creating problems for the neighbourhood. **Everyone around Nita Lake purchased in this community to be away from the noise and business of the town, and to be closer to the peace of nature.**

Lastly, the council must be concerned with a lot of short term rentals and access to the proposed park, that there is a safety issue with the railway line as people will inevitable try to access the Lake.

7. Setting an unfortunate precedent

The council needs to keep in mind that whatever happens on 5298 Alta Lake is likely to set a precedent for lands to be developed around it. It is more than likely that over the coming years Tyrol lodge will be re developed and then there are the lands to the North of 5298 Alta Lake that also have zoning for building. If the zoning and density get changed on 5298 Alta Lake, why should it not be changed on neighbouring lands. **The implications of this ripple effect for the Nita Lake environment are very troublesome.**

Summary and the Way forward.

We are very concerned property owners and very concerned residents of the Whistler community. We want to ensure that as taxpayers and long standing residents that any development occurs in keeping with the long term beauty and health of our community.

Adding density, creating further traffic problems, providing inadequate separation and green space between neighbours and clear cutting much of the land are not consistent with the goals of creating *neighbourhood identity and livability*, as stated in your OCP. In addition, development around our lakes need to be held to higher standards.

As current residents and tax payers we cannot allow developers (who at the end of the day will not be part of our community and who are driven by financial incentives) to spoil our community and "push through" inappropriate developments.

The right development for this property is to build single family residential homes (as originally envisioned for this property) together with appropriate green spaces and separation. Employee housing may or may not be part of this development, but as stated above such housing is probably more efficiently located closer to amenities etc.

We and the residents of Nita Lake feel very strongly about getting the right development and we look forward to working with the council and the Muni to find a solution that works for our neighbourhood as well as for the Whistler Community

Thank you for your consideration

With kind regards

Richard and Sandra Durrans

[redacted]

[redacted]
[redacted]
[redacted]

[redacted]

Rob Follows
[redacted]
[redacted]
September 9, 2019

To: Mayor and Council
Resort Municipality of Whistler

Dear Mr. Mayor and Councillors:

Re: Submissions from the Nita Lake Estates Strata
On Rezoning Proposal No. RZ001157
5298 Alta Lake Road
Empire Club Development

I am writing to convey my serious concerns with the Rezoning Proposal for 5298 Alta Lake Road in its current form.

My wife and I purchased our home in Nita Lake Estates because of the tranquil and natural setting where we are surrounded by 250-year-old cedar and fir trees. While not a full-time resident, our young family spends a significant amount of time here in the summer and winter. Our community is a safe place for the children to play and ride a bicycle. We could have bought elsewhere but wanted to be away from the noise, crowds and tourists that are found in the village. The currently proposed development at 5298 Alta Lake Road is about to change all of this and is substantially different than the existing zoning on the property. There is no longer the ambience of small cabins nestled amongst the trees on a beautiful small lake, preserving a natural setting. This area will be clear cut to make room for these townhomes. The sensitive lake environment will be compromised.

The proposed development is not in keeping with the character of the established neighbourhoods on the lake. The increased density of the proposed development is unacceptable, especially with the entire development squished into the south end of the property with limited or no green buffers between the market rental townhouses and our strata homes. Nightly rentals will bring a lot of noise to our peaceful setting. No other lake in Whistler has commercial and nightly rentals. Why increase the commercial activity on Nita Lake?

Nita Lake Drive is a narrow one-way street in the winter that is a risk for anyone driving or walking. The road will not be able to handle the increased traffic. Access to Highway 99 will become worse (if that is possible).

It is my understanding that the existing proposed development under the TA17 zoning could not be built today. The developer requires rezoning to proceed. This is an opportunity for the RMOW to make a difference to the residents of Whistler and keep the encroachment on nature to a minimum. It is understood there is a need for more affordable housing in Whistler but is this the right location, the right type of employee housing?

We request that you send this rezoning application back for revision. Let's not be in a haste to destroy this wonderful lake area. Let's create zoning that is consistent with neighbourhoods already located on the west side of the lake. Finally, let's ensure the right kind of development on this lake front site to maintain this beautiful asset for the future.

Sincerely,

Rob Follows

[redacted]

[redacted]

September 10, 2019

Mayor and Council

Resort Municipality of Whistler

4325 Blackcomb Way

Whistler, BC

Dear Mayor and Council Members,

Proposed Townhome Development at 5298 Alta Lake Road on Nita Lake

I and my family have a home in Whistler, at [redacted]. We are writing to express our concerns about the proposed development at 5298 Alta Lake Road on Nita Lake.

We take issue with this development for a few reasons:

- Damage to the surrounding environment
- Lake frontage is at a premium in Whistler, and should be preserved for "no development" or carefully designed development which will minimize the damage to the shorelines
- Noise pollution
- Increasing capacity on an already overloaded infrastructure in the area

As a resident of the lake, I know that Nita lake has always been a relatively quiet part of the valley and that is one of the reasons we purchased our home here. The plans that I viewed showed pods of 5 unit townhouses for both the private an employee housing. Each unit had 2 parking spaces and there was an area for additional guest parking. There was an outdoor swimming pool, a hotel building etc. The owners are allowed to occupy their units for up to 2 months each year with only nightly rentals for the balance. The private facility more closely resembles a 'motel' development. It does not take any imagination to conclude that it will be a source of overflow accommodation for the Nita Lake Lodge and a perfect sight for informal parties after weddings and other events hosted by the Lodge. This property is adjacent to a residential area and on a lake where sound is transmitted extremely well.

This development will further damage the shoreline of Nita Lake, which is already a small lake in the Whistler area.

It will have negative impact on the lake environment and the eco-habitat that exists in the area. This are is a delicate environment which houses not only vast trees and beauty, but the many fish and other living organisms in the area. With increased people in the vicinity, it will have non-reversable damage to this ecosystem. In my business I and my employees ensure our company is run with the environment in mind, and sustainability is our philosophy. I would think that Whistler, a global tourist destination for it's beauty, is focused on the same. This

development flies in the face of that, and quite frankly I'm embarrassed the town I love is even considering it. This type of reckless development could bring a very negative light to Whistler from the environmental groups perspectives, which could damage the reputation of the town.

I also do not think this location is suitable for employee housing. Other than being housing for employees it does not meet the criteria established by council for employee housing. It is located too far away from any amenities, like grocery shopping. Public transportation on Alta Lake Road has been discontinued, presumably because of insufficient use. It is quite frankly in a relatively remote and poorly service part of the municipality. Driving will be imperative. Council recently rejected a proposal for multi-storey employee housing at a site that was also poorly located and did not possess the natural beauty and visibility of this site.

The access road via Nita Lake Drive is inadequate. There is currently a growing need to put in a traffic light at Alta Lake Road and Hwy 99 although the many times the traffic congestion on Hwy 99 would pre-empt the effectiveness of the light. This development will make matters worse. Development on Alta Lake Road should not be considered until the congestion on Hwy 99 is resolved.

So this development overloads our existing infrastructure, and with the increased number of people, it will also increase the noise pollution in the area which is one of the few "quiet" districts left in Whistler. This will drive many people away, which are the exact people Whistler wants to have to drive the local economy.

If there is to be development now, this site should be returned to single family residential homes (as it was with the RR1, now RSE1 zoning) , and the planned development should be in keeping with the character of the 14 unit Nita Lake Estates development to the south. We agree the RMOW should change the zoning back to a single family residence (as it was before). It could then increased density to add residential homes to fit into the woods and at the same time bargain for employee housing (located elsewhere in a more suitable location) and other amenities. This should be done so the views from the lake should be compatible with the existing Nita Lake Estates development so that it appears to be an extension of that development. This is an approach which avoids further commercial development on the lake and provides a continuity to the views which is important, particularly when development to the North is considered. It also ensures the environment and infrastructure are not further damaged.

Kind Regards,

Craig and Kristen Langdon

Home Owners and Lovers of Whistler

Mayor and Council
Resort Municipality of Whistler
11 September, 2019

Dear Mayor and Council :

Re: New Market Residential Development and Tourist Accommodation

One of core principles of the OCP that most needs to be preserved and protected is that of Limits to Growth. In 1970, when the Municipality did not have access to any free land, a practice was adopted of granting approval of private residential market development in exchange for a significant portion of the subject lands being conveyed to the municipality at no cost for the development of Restricted Employee Housing (eg. Lorimer Ridge, Brio and Millar's Pond).

At that time there were sufficient bed units within the Limit to Growth to afford this. However, now that we have reached the Limit to Growth, and the Municipality has other free lands available to it (e.g. Cheakamus Crossing) this practice is no longer appropriate if Limits to Growth are to be preserved.

Allowing any further market residential development or tourist accommodation simply requires the allocation of further bed units, creates pressure on Limits to Growth and creates further demand for additional employee housing even beyond the demand that currently exists. A policy needs to be adopted by Council in this regard.

Respectfully Submitted,

Garry Watson
[redacted]

September 10, 2019

Mayor and Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V8E 0X5

To Mayor and Council:

Re: Re-zoning application, 5298 Alta lake Road

We wish to express our concern over the proposed re-zoning application for 5298 Alta Lake Road, which is being presented to Council on September 17, requesting permission to proceed.

Having lived on the eastern shore of Nita Lake for the past 30 years, we are concerned that the re-development proposal is inconsistent with the surrounding neighbourhood, that it will have a significant (negative) environmental impact, and that it will not accomplish Council's goals of providing additional employee housing, as the staff requirements for operating such a large "hotel" may likely exceed the number of housing units proposed.

We recognize that the western shore of Nita lake is currently zoned for development, and that it will eventually be developed. But, the current re-zoning application involves a tripling of buildable space in massive configurations, all for the sake of 8 additional employee units on a site which does not comply with guidelines established for such purposes.

We hope that Council will NOT grant permission to proceed with the existing re-zoning application, and that the developers be required to consult with the local community to develop a more acceptable proposal that will not increase the amount of tourist accommodation or market housing currently permitted on this site, thereby minimizing impact on the tranquil beauty of Nita Lake and its surrounding community.

The following is a summary of our concerns, with some potential alternative strategies:

1. Deviation from existing TA17 zoning:

   The intent of the current zoning is for **site sensitivity**, permitting tourist and employee housing in **cabins** (maximum permitted gross floor area of 120 square meters, or 1,292 square feet). A maximum permitted gross floor area for tourist cabins of 1,400 square meters allows for **12 tourist cabins.** A maximum permitted gross floor area for employee housing cabins of 800 square meters permits **7 cabins.** Combined, this represents a total of **19 "cabins".**

   The re-zoning application is for 22 tourist townhouses of 200 square meters (2,153 sq. ft) each, for a total of 4,398 sq. m. (47,361 sq. ft), which is **three times** the existing permitting gross floor area, not including two parking spaces per unit! The massing of these large townhouses into 4 clusters of 5 or 6 three-storey row houses is not "site sensitive".

The current application also increases the number of employee units from 7 to 15, reducing the size of each unit from 120 sq. m. to an average of 106 sq. m., for a total of 1,590 sq.m., **double** the existing permitted floor area for employee housing, in a location not close to public transit, services, or places of work (unless they happen to be working in the hotel, see below).

2. Do we really need more tourist accommodation?

It is frequently cited that Whistler has an excess of hotel rooms, driving various strategies to increase hotel occupancy, leading to growing problems of traffic, carbon emissions, etc. The proposed "hotel", with at least 22 large units, will require a significant number of employees to manage it, possibly even more than the 8 additional employee units proposed.

The re-zoning application refers to additional buildings for recreational facilities, hotel check-in and recycling. Current zoning includes a hotel building of 2,100 sq. m. (in addition to the 10 permitted cabins), but it is not clear whether this will include additional hotel rooms.

3. Environmental Impact and Hotel Operating studies

While we understand that there is a 25 meter tree preservation set-back from the railway tracks, we have not seen any other environmental impact study relating to other trees, traffic, lake usage, or the number of employees that will be required to operate the hotel. One wonders if the latter will actually exceed the number of employee housing units, thereby actually exacerbating our current employee housing shortage!

Our question to Council is why would you even consider permitting this proposal to proceed, when:

- it triples the density of tourist accommodation when its questionable if the community/resort even needs more tourist accommodation,
- tripling the size of individual units will also triple the bed units. Where do these come from, given the community's limits to growth?
- it calls for a massing of row houses that is insensitive, not only to the tranquil beauty of Nita Lake, but to the character of the neighbouring community,
- operating a hotel may increase staffing beyond the proposed employee housing units,
- the Mayor's Task Force on Employee housing identified the need for 1,000 units of employee housing by 2023, with a process in place to achieve this goal,
- all of the above provides a mere 8 additional, small employee housing units in a poor location.

We encourage you to not permit this proposal to proceed in its current state, but to require the developers to meet with affected parties and return with a more site sensitive proposal supported by detailed environmental and hotel operating studies. We also suggest that placing certain restrictions on massing and tree preservations would be appropriate.

In closing, we would like to state that our concerns are not simply "Nimbyism", as some might think, given that we reside immediately across Nita Lake from the proposed development. We have known for many years that some form of development would eventually take place. Nor are our concerns a statement of opposition to employee housing in general. But in the interest of protecting the beautiful chain of lakes which are one of Whistler's most valuable amenities, and in the interest of sustaining

them for future generations, we urge you to consider our concerns. Permitting this re-zoning application to proceed would set a most unfortunate precedent for future development.

Respectfully submitted,

_____	_____
Anne Popma	Garry Watson
[redacted]	[redacted]

From: Guy Lever [redacted]
Sent: Wednesday, September 11, 2019 8:59 AM
To: corporate <corporate@whistler.ca>
Subject: Proposed Development: Nita Lake

Mayor & Members of Council,

My wife and I reside at [redacted]. After being made aware of this development and discussion with neighbours, we are concerned with a number of issues. Whistler is and should remain one of the leading all year resorts in the World and one where the community & tourists live in harmony.

I have attached a link for your perusal of a similar tourist community south of Munich in the Bavarian Alps, please consider examples of how lakes are protected and developed in other parts of the World. The chain of lakes in Whistler are unique and your stewardship could be a turning point for the future of Whistler altogether.

I will be attending your September 17th meeting and hope to raise a question asking the RMOW to consider a Resolution that will ensure any and all future development of Lakefront properties within the community, adhere to an established policy based on consultation regarding the unique needs of Lake & Lakeside properties in Whistler.

Sincerely,

Diane & Guy Lever
[redacted]

https://www.bavaria.by/accessible-tourism/accessible-offers/a-tegernsee-schliersee-wendelstein-bavaria-germany

Bavaria- Alpine region: Lakes Tegernsee and Schliersee

The Alpine region of the Tegernsee and Schliersee Lakes lies only one hour south of the Bavarian state capital of Munich. The glittering lakes and mountains of the Alpine foothills create fantastic scenery. Openly upheld customs and traditions reflect this region's unique attitude towards life. If you want to scale the heights, the Wendelstein can offer you wonderful views of the mountain range of the Alps and the green valleys of the surrounding area.

Our excursion tips:

On the Wendelstein

An excursion to one of the most beautiful panoramic mountains of the Alps is a must. Up we go to the Wendelstein, enthroned high above Bayrischzell and the Leitzachtal valley. A trip with the Wendelstein Funicular from Osterhofen near Bayrischzell is something to be experienced. A ramp makes it easier to get into the funicular and the trip alone is an experience in itself. At a height of more than 1,700m, spectacular views which extend to Munich in the north and as far as the Alps in the South await you.

Your excursion should of course not omit the opportunity to turn into the large terrace at the summit of the mountain.

Experience the lakes

A hiking trail which is suitable for wheelchair users leads around the picturesque Suttensee Lake above Rottach-Egern. Situated in an idyllic setting at over 1,000m in the midst of high Alpine peaks, Suttensee Lake is an insider tip. If you prefer to travel by bike, the Tegernsee circular trail is just what you are looking for: one lap of the lake with your hand bike takes you to a height of over 20 km – dream-like views and famous sights are all part of the package. If the weather is not playing ball, it is well-worth making a visit to the Bad Wiessee Waterpark which is equipped with a lift which will deposit you safely in the indoor pool. Bath chairs are also provided here upon request.

Culture and enjoyment

Culture and enjoyment in the Alpine region of the Tegernsee and Schliersee Lakes – whether you are sampling schnapps or enjoying a visit to a museum: The Lantenhammer distillery in Hausham produces the finest brandies and fruity liqueurs – here you can experience this skill at first hand in this Distillery of Discovery. You can immerse yourself in the world of distillates, glean a lot of interesting facts about the production process and the flavours or take part in a tasting or tour. Go back in time with historical carriages and sledges in the Museum in the Gsotthaber Farmhouse in Rottach-Egern. Here you can find out all sorts of interesting things about farming customs or professions which have now almost died out such as those practised by saddlers or blacksmiths. After so much culture, you will definitely want some refreshment in Café Gäuwagerl in the museum.

Further excursion tips:

Waitzinger Keller
Rundweg am Spitzingsee
Olaf-Gulbransson-Museum

Information & Service:

TI Gmund
TI Bad Wiessee
TI Rottach-Egern
TI Schliersee
The Huber Taxi Company in Schliersee provides wheelchair-friendly taxis which are available if required.
Telephone: 08026 4607

Tips for overnight stays

Best Western Hotel Bayerischer Hof Miesbach
Ferienwohnungen Concordia
Gästehaus Gritscher
Ferienwohnungen Schneider
Ferienwohnungen Krenn

5 September 2019

Mayor & Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler BC V0N 1B4
By email: council@whistler.ca

Dear Mayor & Council

UNDERGROUNDING OF UTILITY SERVICES IN WHITE GOLD

This letter lays out the majority support of homeowners in the White Gold neighbourhood, for the removal of poles and overhead utility cables, and for those services to be buried underground.

We are requesting the municipality provide relevant information for a formal petition process that homeowners may consider, so the total cost of this work is recovered from all homeowners in the defined area (see Appendix A) with an annual amount added to property taxes over a twenty to thirty year time period.

Background
As the Municipality is performing the water mains upgrade project in White Gold, this is a prime opportunity for homeowners to have all utility poles and overhead wires removed from the neighbourhood, and to have those services buried underground.

There are currently over 80 White Gold homeowners who are involved in an initial design and planning exercise with BC Hydro, which includes having provided their property plans and contributed to a non-refundable deposit to BC Hydro.

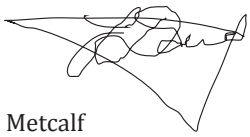
There are many advantages to undergrounding the utilities, including reduced wildfire risk given our proximity to Lost Lake Park and surrounding forests, reduced downtime of power service during storms and strong winds, as well as the benefits of enhanced aesthetics of modernizing our streets in line with neighbouring subdivisions.

Under section 212 of the Community Charter, homeowners within a defined area may 'petition' the municipality for a local area service, for which the cost may be recovered as an add-on to annual property taxes over a number of years. For a petition to succeed for the whole of that area, the petition must be signed by owners of at least 50% of the number of property parcels in the area, and those must represent at least 50% of the assessed value of the properties. Should the petition succeed, the services will be performed for all properties in the defined area and total cost shared amongst all homeowners in that area.

Request
We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed, and**
- **submit an application to the BCHydro Beautification Grant Fund which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Thank you in advance for your support in making this project a reality.



Toni Metcalf
Homeowner [redacted]

We, the undersigned homeowners, respectfully request the municipality to:

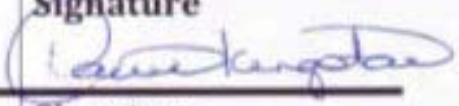
- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Daniel Holdsworth	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any ot applicable should the project proceed, such that homeowners may formally petition to have these servi
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-thi undergrounding. A short initial application is due September 30 2019, with more specifics to be submitt

Property Address:	[redacted]	
Owner 1:	**Name** Dawn Kingston [redacted]	**Signature** 
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Erin Anderson	**Signature**
Owner 2:	**Name** SEAN ANDERSON	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Brenda Gilbert	**Signature** Brenda Gilbert
Owner 2:	**Name** Andrew Gilbert	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Robert Battiston	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** 0946903 BC Ltd	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Peter Lim	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Lindsey Townsend for Malinda Holdings Inc	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

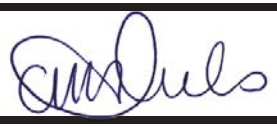
- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Denis Federau	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Anthony Duhs	**Signature**
Owner 2:	**Name** Chelsea Duhs	**Signature** 

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- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Rhonda Millikin	**Signature**
Owner 2:	**Name** Peter Shearing	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Anjali Johannessen	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** ROB THIRD.	**Signature** R.
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Rob Zwick	**Signature**
Owner 2:	**Name** Sharon Zwick	**Signature**

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We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Monique Wilberg	**Signature** DocuSigned by: Monique Wilberg 1471FDADB1A54B9...
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Marcia Meszaros	**Signature** Marcia Meszaros
Owner 2:	**Name** Keith Reid	**Signature** Keith Reid

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**
- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** PAUL JORDAN	**Signature**
Owner 2:	**Name** LISA ANNE MARIE JORDAN	**Signature**

2

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	**Name** DAVID MACKENZIE	**Signature**
Owner 2:	**Name** SARAH CO	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Max Bruce Fullerton Avenue Holdings	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	Name JULIE DEMPSEY	Signature J Dempsey
Owner 2:	Name GERALD DEMPSEY	Signature G Dempsey

2

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
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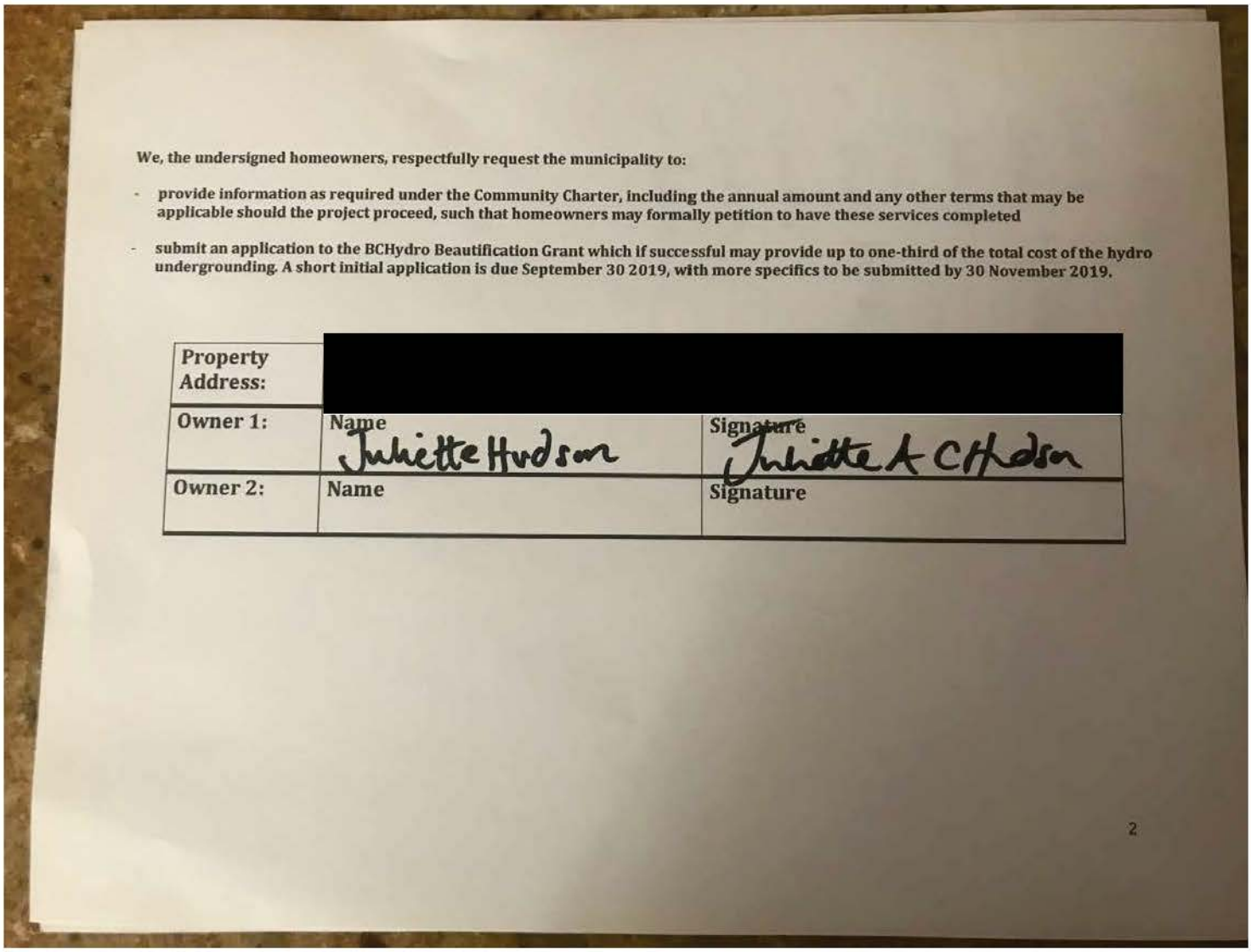
Property Address:	[redacted] .	
Owner 1:	**Name** Brigitte Loranger	**Signature**
Owner 2:	**Name**	**Signature**



We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	Name Juliette Hudson	Signature Juliette A C Hudson
Owner 2:	Name	Signature

2

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	Name Cameron MacKenzie	Signature Cameron MacKenzie
Owner 2:	Name Marian MacKenzie	Signature Marian MacKenzie

2

We, the undersigned homeowners, respectfully request the municipality to:

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- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	**Name** Pete Davidson	**Signature** P Davidson
Owner 2:	**Name** Irene Wood	**Signature** Irene Wood

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Kevin D Wiebe	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

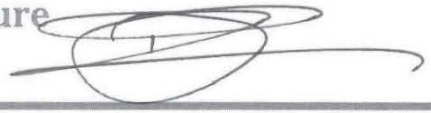
- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** Scott Green	**Signature** SG
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	**Name** David Leahy	**Signature** 
Owner 2:	**Name** N/A	**Signature**

We, the undersigned homeowners, **respectfully request the municipality to:**

- **provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed**

- **submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.**

Property Address:	[redacted]	
Owner 1:	Name Gordon Ahrens	Signature
Owner 2:	Name Lee Ann Ahrens	Signature

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Property Address:	[redacted]	
Owner 1:	**Name** Catharine Wright	**Signature** Chris Wright
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Tracey Wood	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Donna Rooney	**Signature**
Owner 2:	**Name** Patricia Kneller	**Signature**

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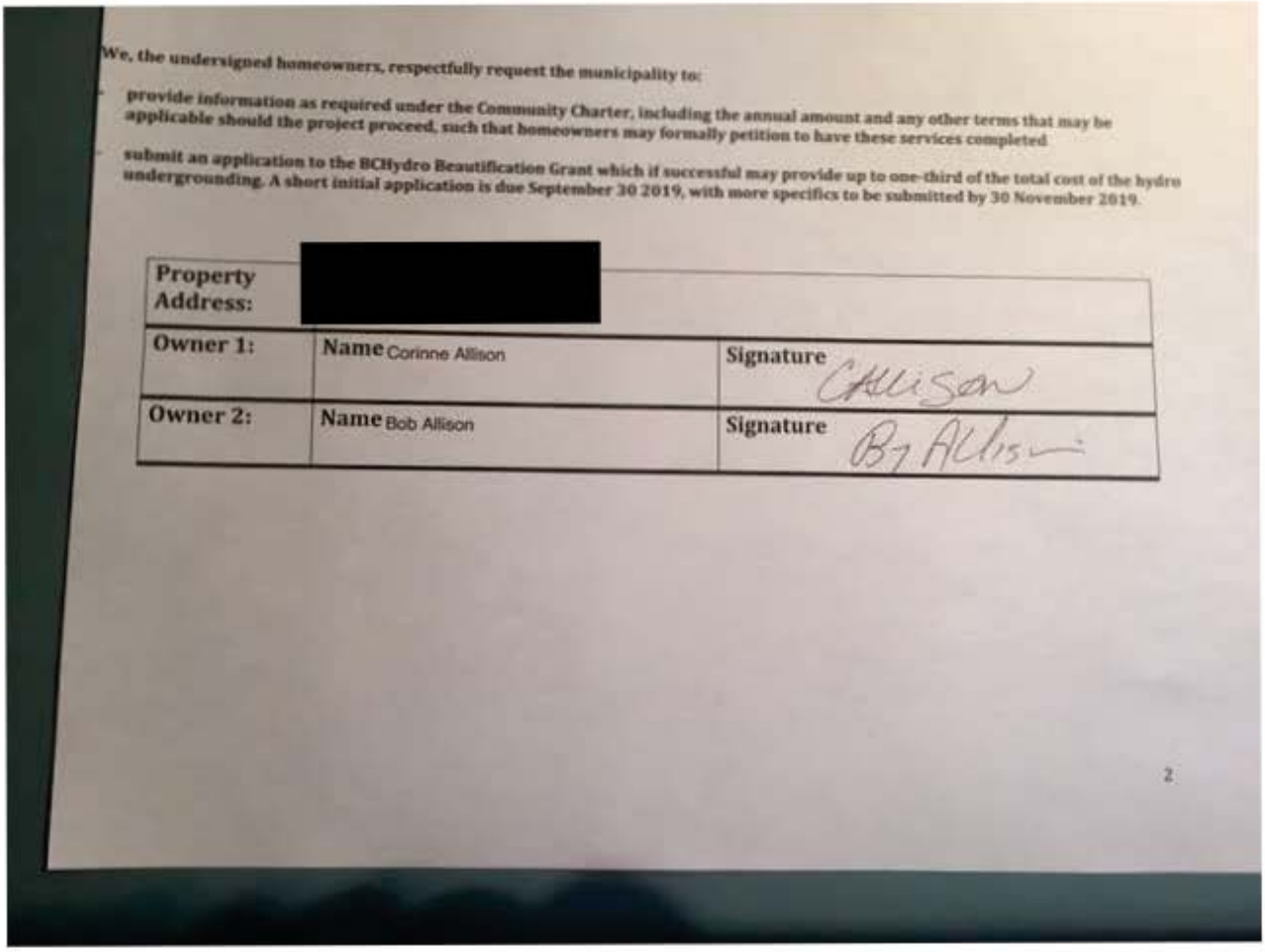
Property Address:	[redacted]	
Owner 1:	**Name** Steven Fleckenstein	**Signature** Steven Fleckenstein
Owner 2:	**Name**	**Signature**



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Property Address:	[redacted]	
Owner 1:	**Name** Corinne Allison	**Signature** Allison
Owner 2:	**Name** Bob Allison	**Signature** Bob Allison

2

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9/9/2019

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Property Address:	[redacted]	
Owner 1:	**Name** Douglas H. Moore	**Signature** Douglas H. Moore
Owner 2:	**Name** Tia Moore	**Signature**

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1/1

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Hugh Hefer Oosthuizen	**Signature**
Owner 2:	**Name** Antoinette Oosthuizen	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Bruce Gordon	**Signature** Bruce M. Gordon
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Paul Martin	**Signature**
Owner 2:	**Name** Lisa Black	**Signature** Lisa Black

Lisa Black

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Guy Lafreniére	**Signature** Guy Lafreniére
Owner 2:	**Name** Sylvie Pare	**Signature** Sylvie Pare

Sept 9/19

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Property Address:	[redacted]	
Owner 1:	**Name** RAY WIEBE	**Signature**
Owner 2:	**Name** PAULINE WIEBE	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	Name Scott A Carroll	Signature
Owner 2:	Name	Signature

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Property Address:	[redacted]	
Owner 1:	**Name** BRENT MARTIN / ~~MARTINA MARTIN~~	**Signature**
Owner 2:	**Name** MARTINA MARTIN	**Signature**

9/9/2019

https://mail.google.com/mail/u/0/#label/1+White+Gold%2FWhite+Gold+Petition+letter+signed/WhctKJVZnRtSvpswnRxPZrffvtKCqBkhsddRjZxTHXslzr… 1/1

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Property Address:	[redacted]	
Owner 1:	**Name** Matthew Bilbey	**Signature**
Owner 2:	**Name** Susan Bilbey	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Amy Beckingham	**Signature**
Owner 2:	**Name** Simon Weller	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Kirsty Allars	**Signature**
Owner 2:	**Name** Craig Allars	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name**	**Signature** Dr Jeffrey Green
Owner 2:	**Name**	**Signature** Dr Donna Green

for corp
1815621 Ont Ltd

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Property Address:	[redacted]	
Owner 1:	**Name** Richard Potter	**Signature**
Owner 2:	**Name** KAREN POTTER	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Eric Petersen	**Signature**
Owner 2:	**Name**	**Signature**

Property Address:	[redacted]	
Owner 1:	**Name** Rob Kavelaars	**Signature**
Owner 2:	**Name** Deb Intas	**Signature**

2

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Chris Cox	**Signature**
Owner 2:	**Name** Chris Kalkhoesel	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** BRETT CREED	**Signature**
Owner 2:	**Name** COLIN POSCH	**Signature**

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Property Address:	[redacted],	
Owner 1:	**Name** Gideon Leoganda	**Signature**
Owner 2:	**Name** Kari Leoganda	**Signature**

image1.jpeg

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Tim Last c/o Jennifer Angus	**Signature**
Owner 2:	**Name** Kirsty Last c/o Jennifer Angus	**Signature**

9/9/2019

https://mail.google.com/mail/u/0/#label/1+White+Gold%2FWhite+Gold+Petition+letter+signed/ClIgCHrfTPMXjNmGfQchlZwsZIgxhczBrgnGCqSNIXFpz… 1/1

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Property Address:	[redacted]	
Owner 1:	**Name** Michael Peier	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** DON ARMOUR	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Friderika NOC	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Jennifer Baird	**Signature**
Owner 2:	**Name** Leith Dewar	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Richard Laurencelle	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** MARC KAZIMIRSKI	**Signature**
Owner 2:	**Name** MICHELLE OSTROW	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Toni Metcalf	**Signature**
Owner 2:	**Name** David Metcalf	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** BenteRybinski	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Richard Potter	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Keith Auchinachie	**Signature** K Auchinachie
Owner 2:	**Name**	**Signature**

RMOW request BCH .jpg

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Property Address:	[redacted]	
Owner 1:	**Name** David Hughes	**Signature** David A Hughes
Owner 2:	**Name**	**Signature**

9/9/2019

https://mail.google.com/mail/u/0/#label/1+White+Gold%2FWhite+Gold+Petition+letter+signed/ClgCHrdkvFZXzcSRHGxQvCrWrFkTHBvQNFbhPHbJG... 1/1

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Property Address:	[redacted]	
Owner 1:	**Name** Alim Holdings Ltd.	**Signature** X
Owner 2:	**Name**	**Signature**

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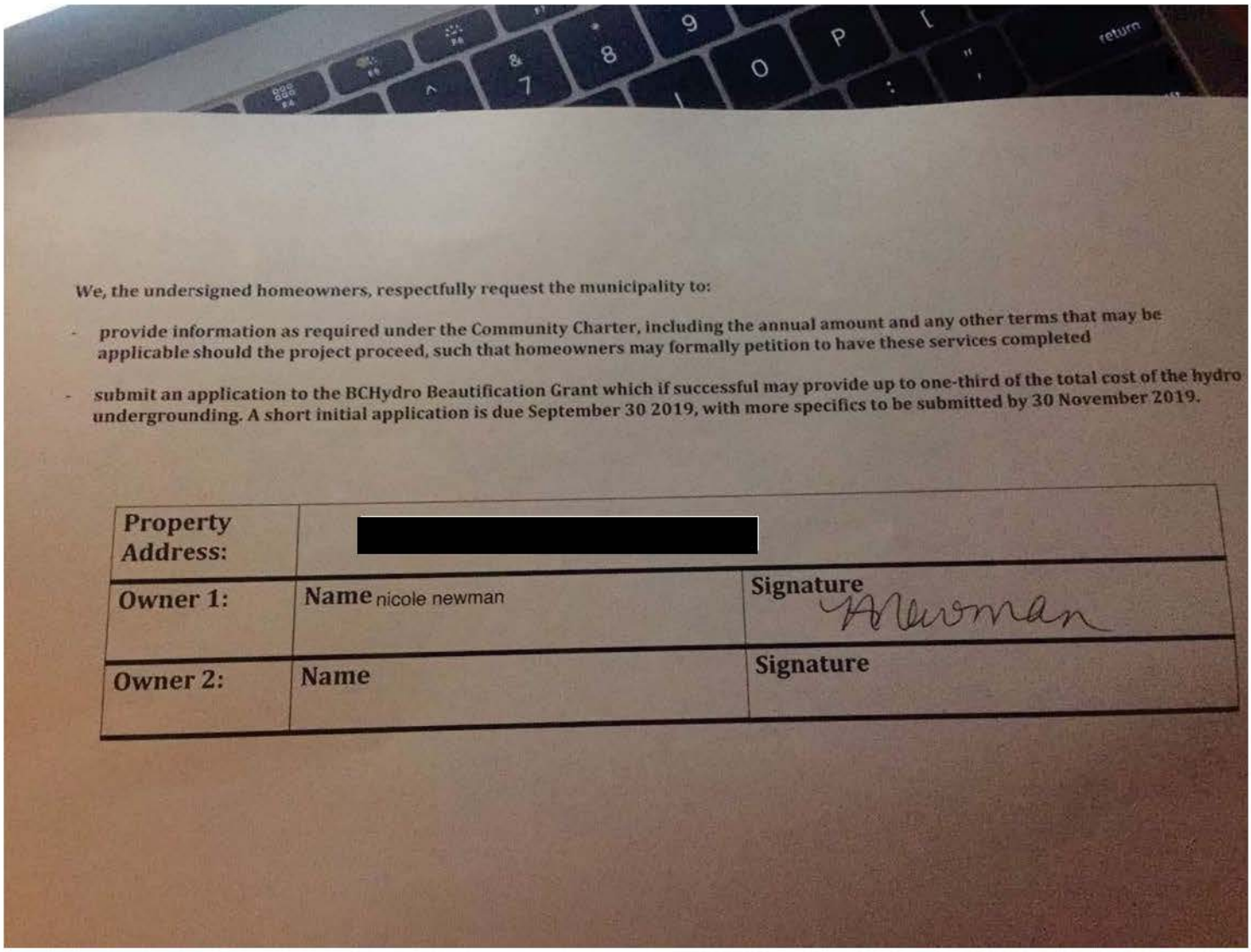
Property Address:	[redacted]	
Owner 1:	**Name** R.J. Moodie	**Signature**
Owner 2:	**Name** D.E. Moodie	**Signature**



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Property Address:	[redacted]	
Owner 1:	**Name** nicole newman	**Signature** Newman
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
- submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	**Name** BARBARA ANN SCOTT	**Signature** B. Ann Scott
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Alim Holdings Ltd.	**Signature** X
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Steven Krause	**Signature**
Owner 2:	**Name** Bernie Zacharias	**Signature**

IMG_2969.jpg

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Property Address:	[redacted]	
Owner 1:	**Name** RORY HENRY	**Signature**
Owner 2:	**Name** LAURA HENRY	**Signature**

9/9/2019

https://mail.google.com/mail/u/0/#label/1+White+Gold%2FWhite+Gold+Petition+letter+signed/WhctKJVZnSCqBVcJZVlzcHwwsZVSbMfbkRcGsHJdZ... 1/1

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Property Address:	[redacted]	
Owner 1:	**Name** Sara Ferguson	**Signature**
Owner 2:	**Name** DAVID BARNETT	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** GAIL DAY FORREST DAY	**Signature** Gail Day Forrest Day
Owner 2:	**Name** TARALYN DAY	**Signature**

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submit an application to the BCHydro Beautification Grant which if successful may provide up to one-third of the total cost of the hydro undergrounding. A short initial application is due September 30 2019, with more specifics to be submitted by 30 November 2019.

Property Address:	[redacted]	
Owner 1:	**Name** Eric Zinsli	**Signature**
Owner 2:	**Name** Luise Zinsli	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Sarah Frood	**Signature**
Owner 2:	**Name** Andre Charland	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Bernie Protsch	**Signature**
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Angela Samuda	**Signature** A Samuda
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** GRACE BORSARI	**Signature** G. Borsari
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** CECILIA DEMPSEY	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Darryl Hawkes	**Signature** Darryl Hawkes
Owner 2:	**Name**	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** Andrew Tacilsudkad.	**Signature**
Owner 2:	**Name**	**Signature**

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- provide information as required under the Community Charter, including the annual amount and any other terms that may be applicable should the project proceed, such that homeowners may formally petition to have these services completed
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Property Address:	[redacted]	
Owner 1:	**Name** Stephanie Petersen	**Signature**
Owner 2:	**Name**	**Signature**

We, the undersigned homeowners, respectfully request the municipality to:

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Property Address:	[redacted]	
Owner 1:	**Name** Derek Jazic	**Signature**
Owner 2:	**Name** Kathi Jazic	**Signature**

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Property Address:	[redacted]	
Owner 1:	**Name** CLAIRE THORNTHWAITE	**Signature**
Owner 2:	**Name** TOM PROCHAZKA	**Signature**

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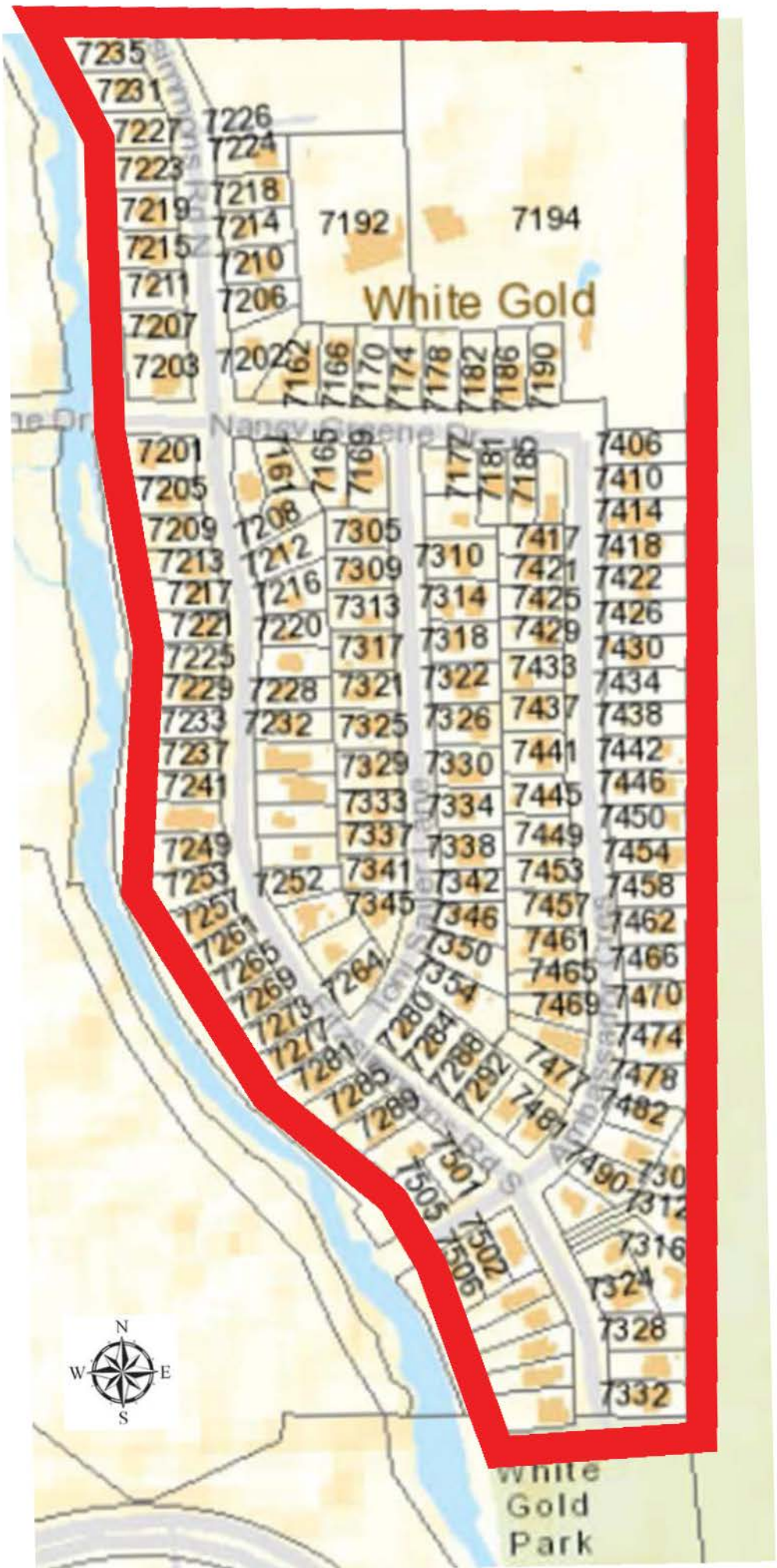
Property Address:	[redacted]	
Owner 1:	**Name** Pamela Thompson	**Signature** P Thompson
Owner 2:	**Name** George R. Thompson	**Signature**

Appendix A – Defined Area for Undergrounding services

- White Gold neighbourhood East of Fitzsimmons Creek



From: Sue Hargrave [redacted]
Sent: Sunday, September 1, 2019 10:45 AM
To: Council
Subject: Handicap parking spots during Crankworks.

Dear council.
I wish to write to inform you of what I see as an oversight.
During a very busy time in Whistler, during Crankworks, lot 2 was occupied by vendors for sales and community relations purposes.
In doing so, the largest portion of handicap parking spots were not accessible.
I was fortunate to volunteer for the Whistler Adaptive Event on the hill which featured many athletes from around the work who were wheelchair bound. I understand one of there athletes had to park in lot 5 during the event because all spots he knew of were either taken or unavailable.
It's my hope that if spaces are taken from this community (like in this event), that more spots are made accessible and easy to find for individuals in need.
Thank you for your understanding and consideration.
:) Sue Hargrave

From: John Konig [redacted]
Sent: Monday, September 09, 2019 11:59 AM
To: corporate <corporate@whistler.ca>
Subject: The Future of Tennis in Whistler Report

To the Mayor and Council,
In the immediate wake of Bianca Andreescu's historic win at the U.S. Open this weekend, the Whistler Tennis Association is releasing a new Public Awareness report titled "The Future of tennis in Whistler: *Securing the Next Century*." A digital version of the report is attached to this email.

This publication is designed to showcase the wide-ranging benefits that a year-round public tennis facility offers to the residents of and visitors to the municipality of Whistler and the Sea to Sky corridor. It is also intended to raise support for the construction of a facility of the scale and standards that was initially promised to the community over 30 years ago. Please help us generate increased awareness of this issue by reading this report and sharing it with any potential stakeholders.

Kind Regards, John Konig
Whistler Tennis Association - President
[redacted]
Phone - [redacted]

The Future of Tennis in Whistler:
Securing the Next Century

Published by the Whistler Tennis Association
September 2019

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A CENTURY OF TENNIS IN WHISTLER Alex and Myrtle Philip outside the Rainbow Lodge tennis courts in 1918

Overview: A Public Awareness Report on the Future of Tennis in Whistler

The Whistler Tennis Association has produced this report[*] to raise public awareness of the positive impacts that a vibrant, year-round tennis facility has on the local community in Whistler and the Sea to Sky corridor. The key facts and arguments that are presented in this report are as follows:

- ✓ Dating back over 100 years to when Myrtle Phillips built the first known court at the Rainbow Fishing Lodge, the sport of tennis has had a long and rich legacy in Whistler. The first organized tennis club, the Whistler Valley Tennis Club, was established at Nita Lake in 1979. Then, in 1988, the municipality of Whistler granted Park Georgia, a development company, the right to build 1200 bed units of tourist accommodation in exchange for a commitment to deliver 'a world-class indoor tennis facility' to the community on the same property.
- ✓ In 1993, Park Georgia built the existing Whistler Racquet Club (WRC) on Northlands Blvd. as a temporary facility to meet this obligation to the community until the land upon which it sits was fully developed. However, neither Park Georgia nor the Holborn Group, who purchased the land in 2002, ever fulfilled their respective development plans. Nor did either party invest in the replacement or upkeep of the existing tennis facility, leaving it today in a severe state of disrepair.
- ✓ In 2017, The Beedie Group purchased the property from Holborn with an intention to rezone the site for residential development. It also willingly assumed the outstanding community debt. This has sparked renewed hope that the promise to build a new tennis facility will finally be delivered.
- ✓ Despite the lack of investments in the facility or a marketing budget, the WRC continues to attract a large number of visitors every year, split equally between locals and tourists. The club is particularly popular for its programs, which connect visitors and members of the community together in an active, friendly, and weather-proofed environment. It is also very popular with children, boasting over 2000 participants in its annual summer camps and after school programs.
- ✓ Whistler has proven to be very attractive as a destination for tennis tournaments. The WRC typically hosts over 25 Tennis BC sanctioned events each year, the most of any facility in the province. This draws about 2000 tournament players to the facility during all months of the year and in all weather conditions. The annual economic impact of these events on the local economy is estimated to be at least $3 million. The positive economic benefits of the WRC also include the employment of tennis pros, front desk staff, and maintenance services.
- ✓ The success of the WRC, despite the lack of financial support for facility upkeep and marketing, is a function of a dedicated staff who have created a friendly environment for all of the facility's users, including tennis, pickleball and indoor soccer players. A strong historical connection between skiing and tennis plus a growing desire to "weather-proof" Whistler have also helped to sustain the club.
- ✓ These very positive factors aside, the most important part of the equation has arguably been the growing popularity of tennis worldwide and in Canada. According to a 2018 Tennis Canada survey, 6.5 million Canadians indicated that they had played tennis at least once in the past 12 months, up 32% from 2012. The same survey found that the number of "frequent players" in Canada totaled 2.9 mln in 2018, up 200% from 2010, with growth among children 12 and under particularly strong.
- ✓ In light of these trends, which are equally robust in other parts of the world—and in the wake of Bianca Adreescu's historic win this fall at the U.S. Open, which will surely fuel even more interest in the sport among Canadians—the WTA feels that it is time to start seeing the WRC as an asset that can be grown and nurtured rather than a liability that is often met with indifference.

[*] Authored by WTA board member Ben Cherniavsky

Whistler's Tennis Community: Facing Break Point

In the fall of 2018 the Whistler Tennis Association (WTA) sponsored a celebration of 100 Years of Tennis in Whistler. While this important milestone was designed to acknowledge the sport's long history in the community, it also served as a rallying cry for the future. With the Whistler Racquet Club (WRC) under new ownership, in severe disrepair, and—once again—facing rezoning changes, the WTA feels strongly that the next century of tennis in Whistler sits at a critical cross-roads: either a meaningful commitment is made by the municipality, the current owners, and others to support this sport in the region or it may slowly fade from the fabric of the community.

To avoid the latter scenario, this report will argue that Whistler requires the physical presence of a modern, sustainable, centrally-located multi-use tennis centre with strong programming and the court capacity to host events and sanctioned tournaments. A second intent of this report is to prove to all stakeholders that the benefits of a year-round tennis centre in Whistler extend well beyond its end users to include the owner/operator, the local economy, and the community at large. Finally, this report will also illustrate how the WTA's vision of a vibrant tennis centre in Whistler is aligned with the municipality's vision to create both a healthy, livable community for locals and a world-class year-round destination resort for tourists seeking fun, adventure, and an active lifestyle. As the popularity of tennis continues to expand in Canada and around the world, it is time to start seeing the WRC as an asset that can be grown and nurtured rather than a liability that is often met with indifference.

How Did We Get Here? A Quick Look Back at a Broken Promise

As depicted in the photo on the first page of this report, the history of tennis in Whistler can be traced all the way back to Myrtle Phillips' first court at the storied Rainbow Fishing Lodge in 1918. However, it was not until 1979, when the Whistler Valley Tennis Club (WVTC) was established on the shores of Nita Lake, that the community had its first official club. Located on privately held land but run as a non-profit operation, the WVTC had 250 active members, five courts, one bubble in the winter months, a tennis pro, and often played host to tournaments, round robin matches, and many other social events. Unfortunately, when the land was sold for development in the mid 1990's no provisions were made to support tennis at that location and the community lost the club.

Perhaps one reason that the closure of the WVTC did not raise more concerns or generate more opposition was that, by this time, the WRC had already been established at its current location off of Lorimer Road. Moreover, in the mid 1990s, plans were still pending to expand this facility into a major world-class tennis club complete with a stadium court, four indoor courts, twelve outdoor courts, and the capacity to host televised professional tournaments (see Appendix 1). These ambitious plans dated back to 1988 when the municipality of Whistler granted Park Georgia, a development company, the right to build twelve hundred bed units of tourist accommodation in exchange for a commitment to construct and operate a world-class indoor tennis facility in the community.

This agreement was directly related to the municipality's vision of making Whistler a successful four season destination resort. In fact, under the auspices of the 1988 Official Community Plan guidelines, three such "beds for sporting infrastructure" agreements were made between the municipality and developers: (i) the aforementioned deal with Park Georgia to build a world-class tennis facility in exchange for a 1200 bed-unit hotel and spa; (ii) a deal with the Fairmont Hotels to build the Robert

Trent Jones golf course in exchange for the rights to construct the Chateau Whistler; and (iii) a deal with Kaleb Chan to build the Nicklaus North Golf Club in exchange for the rights to develop the neighborhood in that area.

Notably, the latter two commitments to the community were delivered and Whistler did achieve its goal of becoming a world-class resort known for activities and sports well beyond skiing. However, even though Park Georgia was allowed to develop and profit from the sale of the Montebello Townhouses (phases 1 & 2) on the property that was bound to the Community Plan agreement, the promise to build a world-class tennis facility on the scale originally envisioned was never kept.

To be fair, in 1993, Park Georgia did deliver to the community the current WRC, which included three indoor courts, seven outdoor courts, a small swimming pool and space for a dining facility (which the Wildwood Restaurant occupied for many years). However, this was designed as only a temporary facility and, as such, the original capital investments were relatively limited and the final product was a far cry from the "internationally-acclaimed Björn Borg Centre" that the developer's own marketing literature cited as the future plan at the time. By 1998, Park Georgia was still making promises to expand the WRC to "world-class" standards as it moved forward with its plans to build the 1200 unit hotel/spa that was part of the initial deal, but that vision was derailed in 2002 when it sold the tennis club and the undeveloped portion of the land to the Holborn Group, an international company from Malaysia.

Although these new owners were aware that with the purchase of this property came a prevailing commitment to the resort and community, they ultimately showed little interest in honouring the promise for either a world class tennis facility or a 1200 unit hotel/spa. Instead, in May 2005, Holborn applied to rezone the property to a phase 1 mix of townhouses and condominiums, arguing that a hotel project was no longer viable because of the low occupancy rates at that time. This sparked great concern among the tennis community that a rezoning application would include a change in the provision for a year-round tennis facility on the property. In fact, in their original application, the Holborn Group did lobby to eliminate three outdoor courts to increase townhouse density. They also later argued that the obligation to build a year-round tennis facility on the property had already been met in the form of the present-day WRC.

Heated debates and tense negotiations followed between Holborn, the municipality, and tennis advocates in Whistler (see Appendix 2). Without rehashing all the details, an application to rezone the property did eventually pass a third reading in 2008 with the municipality. This application included a commitment by Holborn to build a permanent tennis club structure that included five indoor courts, seven outdoor courts, stadium seating, a large fitness area, a viewing lounge, a reception/pro shop, a restaurant with patio, a swimming pool, space for squash courts and underground parking (see Appendix 3). The developer had also agreed to transfer the ownership of the facility, which at the time was estimated to be worth $18 to $20 million, to the municipality.

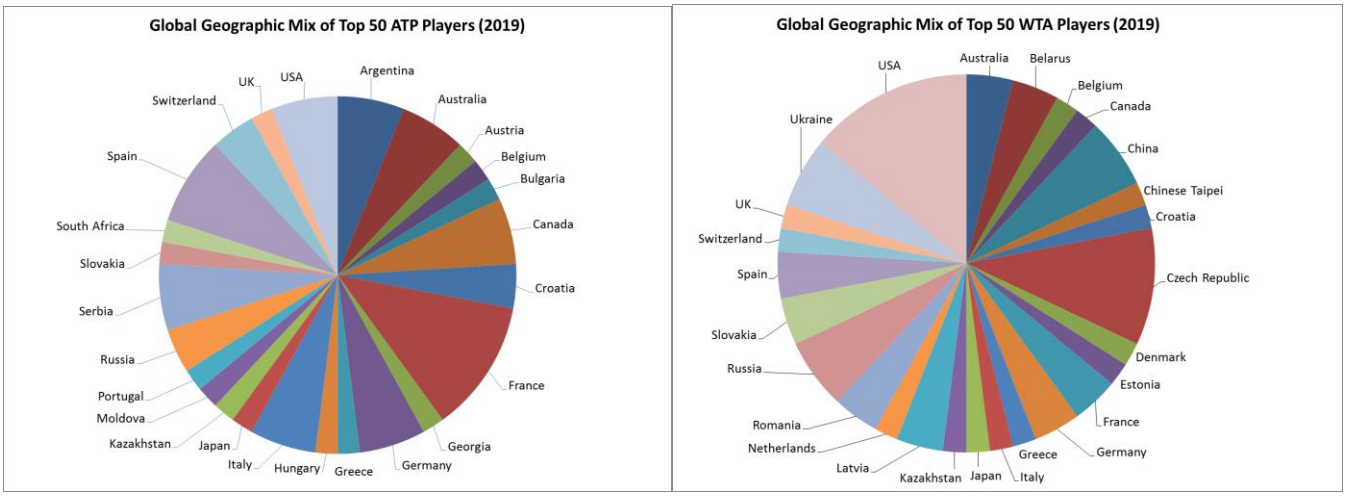
Of course, neither the construction of the tennis club nor the development of the adjacent land into condos and townhouses has since transpired, with Holborn subsequently arguing that both were uneconomic in the environment that followed the Great Financial Crisis of 2008. The prospects for this property have, however, been more recently revived with its ownership changing hands two years ago

and the demand for housing in Whistler back on firm ground. While it is the view of the WTA and many in the Whistler tennis community that Holborn had a covert plan to asphyxiate the WRC and thereby prove that tennis in Whistler was uneconomic (and the provision to operate a tennis facility on the property, by extension, unreasonable), there is a renewed hope shared by all that the new owners, the Beedie Development Group, will take the commitment to the community that it has assumed with the purchase of this land more seriously and deliver the facility that has been promised for over 30 years.

The Global Growth of Tennis: Falling in "Love" with the Game!

To a hockey-mad country like Canada or a skiing and biking-centric community like Whistler, the idea that tennis is the fourth most popular sport in the world may seem rather implausible. However, that is in fact where tennis ranked according to a recent analysis by the website Total Sportek which used 13 different criteria to objectively determine the 25 World's Most Popular Sports. More simply, based exclusively on its annual viewership numbers of 1 bln people, tennis similarly ranks number four among the most-watched sport in the world. The diverse geographic composition of the professional tennis players on the ATP and WTA tour tells the exact same story: tennis' appeal has an incredibly wide and growing scope around the world (see Exhibit 1).

Exhibit 1: Geographic Composition of Top 50 Professional Tennis Players

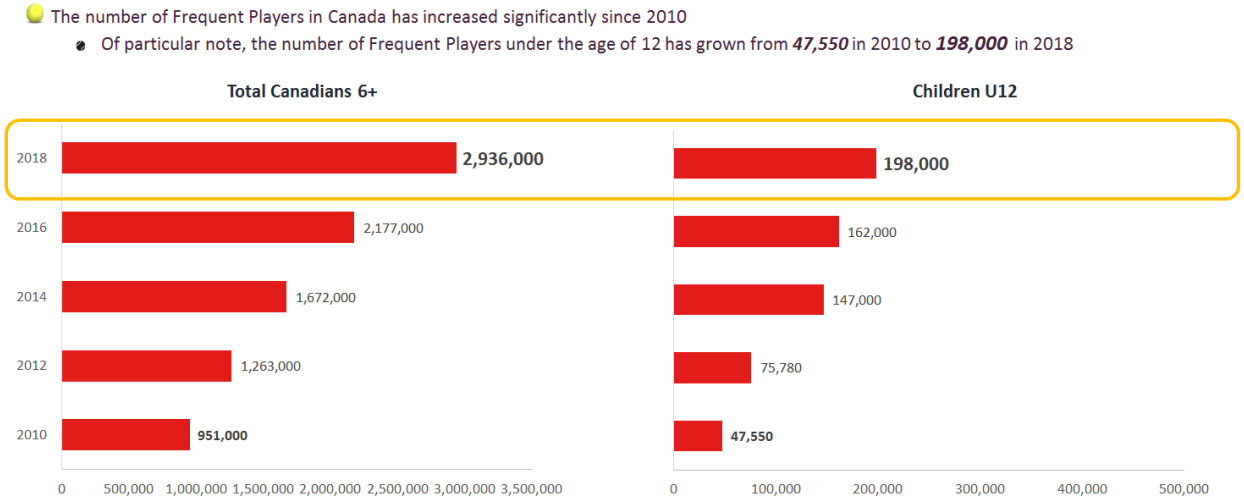


Source: ATP; WTA

Clearly, the stereotype of tennis being an elite sport reserved for country-clubs and white attire is misplaced. There is still a high correlation between participation rates and upper income brackets, but the demographics of tennis have changed radically over the past few decades. A major turning-point in the sport was the rise of the Williams sisters from the slums of L.A. to the global stage of tennis in the late 1990s. This shattered the conventional mold of what a tennis player looked like and where he/she came from. Uncoincidentally, as the Williams sisters and other exciting rising stars broadened the base of the sport, participation rates in the U.S. soared, rising 31% from 2000-2012. According to a report by the country's Physical Activity Council, this outpaced the growth rate of all 12 other "traditional" sports surveyed in the study. In fact, only tennis and gymnastics, a "distant second" to tennis, registered an increase in participation over this time frame.

The popularity of tennis has registered similar growth in Canada, particularly over the past few years. An extensive survey conducted by Tennis Canada in 2018 found that 6.5 million Canadians indicated that they had played tennis at least once in the past 12 months, up 14% from 2015 and up 32% from 2012. The same survey also found that the number of "frequent players" in Canada (those who pick up a racquet at least once a week) totaled 2.9 mln in 2018, up 36% from just three years earlier and up 200% from 2010, with growth among children 12 and under particularly strong (see Exhibit 2).

Exhibit 2: Number of "Frequent" Tennis Players in Canada



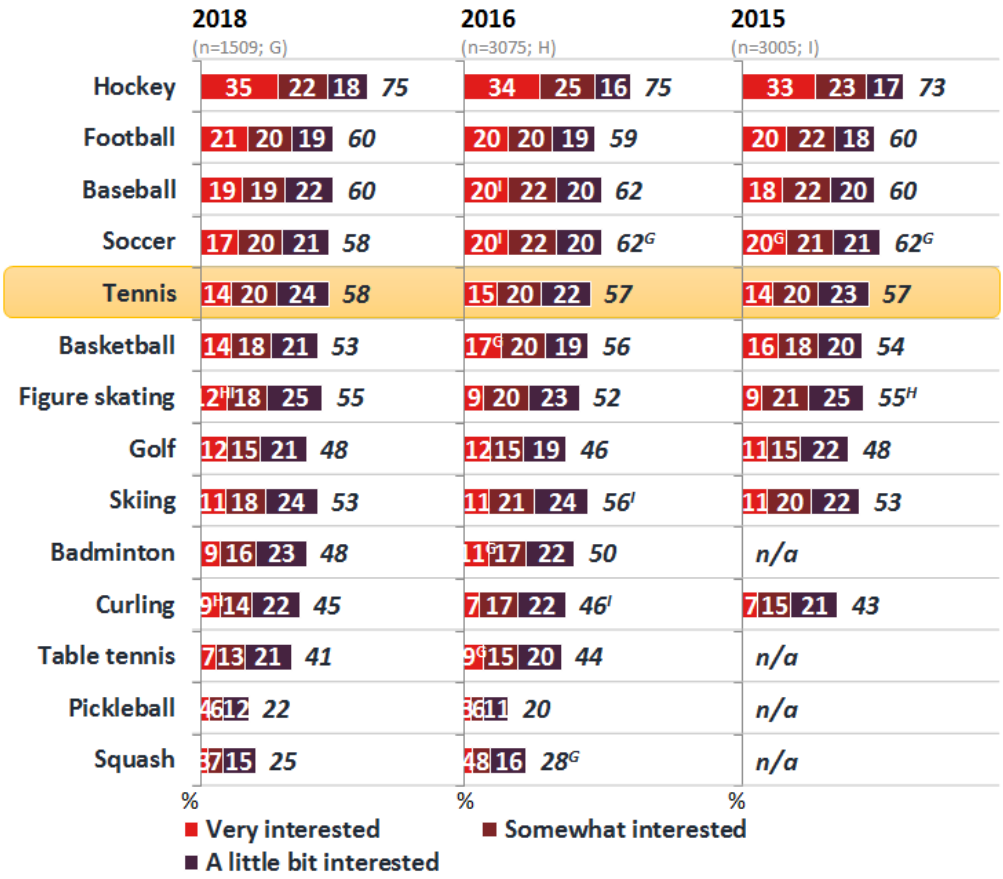
Source: Tennis Canada

Another key finding was that among all sports watched the overall level of interest in tennis ranked fifth amongst Canadians, right behind soccer and ahead of basketball, golf, and skiing (see Exhibit 3). Regionally, interest was second-highest in BC, behind Quebec but ahead of Ontario, the prairies and Atlantic Canada. In terms of overall participation, playing tennis ranked sixth among Canadians, right behind baseball and basketball and on par with skiing (see Exhibit 4).

The explosion of Canadian tennis superstars is certainly a factor behind these trends, with 37% of those surveyed indicating they follow tennis more closely with the success of Canadian athletes. Over the past five years, four Canadian men (Milos Raonic, Dennis Shapovalov, Felix Auger-Aliassime, and B.C.'s own Vasek Pospisil) and two women (Eugenie Bouchard and Bianca Andreescu) have all cracked the top 50 rankings of pro players on the tour. Three of those names have made it to Grand Slam finals with Andreescu mostly recently making history as the first Canadian to win a major at the 2019 U.S. Open.

But the growth of tennis in Canada and around the world is not just a function of celebrity athletes and national heroes. The sport's popularity is intricately linked to its increasingly fast-paced athleticism, truly international profile, and unique, diabolical scoring system that turns every game into a mental chess-match. Other factors that have increased participation rates include tennis': (i) relatively low injury rates, especially compared to contact sports; (ii) demanding physicality; (iii) affordability (a pair of shoes and a ~$200 racquet); (iv) year-round accessibility; and (iv) easy portability (travelling with a racquet is far simpler than golf clubs, a bike, or skis). Finally, tennis is truly a sport for life that is popular among both men and women and young and old. Combined with the multiple formats in which it can be played (singles, doubles, mixed, etc.), all of this makes tennis very social and just plain fun!

Exhibit 3: Tennis Canada Survey: How Interested are you in Each of the Following Sports?



Source: Tennis Canada

Exhibit 4: Tennis Canada Survey: To What Extent do you Play Each of the Following Sports?

	Total	Male	Female	12-17	18-34	35-49	50+	BC	Prairies	ON	QC	Atlantic	Vancouver	Toronto	Montreal	Born Cdn	Est. Cdn	New Cdn
Base:	1509	741	768	137	434	392	546	192	283	573	355	106	104	259	179	1231	199	79
% Participate frequently		B	C	G	H	I	J	K	L	M	N	O	P	Q	R	H	I	J
Hockey	9	14C	5	15J	14J	11J	3	13L	7	10	9	9	14	10	8	10J	7	4
Soccer	9	12C	6	15J	15IJ	10J	1	12LN	5	9L	7	11	11	11	8	8	10	11
Golf	8	10C	5	7	9	6	7	11N	6	8N	5	9	9	9	5	8	6	-
Basketball	7	10C	4	12J	12IJ	7J	1	10LN	5	8N	3	8	12R	10R	3	6	8	15H
Baseball	7	10C	5	10J	12IJ	7J	3	10LN	4	9LN	5	8	9R	10R	2	8IJ	5	1
Tennis	6	7	5	9J	7J	9J	2	6	2	8L	6L	7	6	12	7	6	6	9
Skiing	6	7	5	13IJ	8J	6J	2	5	3	6L	7L	6	3	7	8P	7I	3	-
Football	5	7C	3	8J	8J	5J	2	6N	3	7LN	1	8N	6	7R	1	5	4	3
Badminton	5	5	5	9J	8J	5J	1	5	4	7O	4	3	4	8	4	5	5	8
Table tennis	4	5	3	7J	5J	5J	1	4	2	5LN	3	6	2	5R	2	4	3	8
Curling	3	4C	2	3	5J	3	2	2	4	4K	2	3	-	5	3	3	2	4
Figure skating	3	3	4	9IJ	5J	4J	-	3	2	4L	3	2	2	6	3	3	2	4
Squash	2	3	2	1	5GIJ	2J	-	2	1	3	2	4	-	3	2	2	1	5
Pickleball	2	3C	1	1	4GJ	2	1	2	1	2	3	1	-	3	4	2	2	-

Source: Tennis Canada

The Whistler Racquet Club: Serving Against the Wind

The WRC is currently configured with a main club house, pro shop, small work out room, vacant space for a restaurant, locker rooms, three indoor courts, and four outdoor courts, including a "show court" with some seating for tournament viewing. There are also three other outdoor courts that the previous owners made available to the community for the 2010 Whistler Olympics. An entrepreneur proposed to use them as a platform on which to construct temporary Olympic housing. He removed some fencing and brought in a crane, but that's as far as the plan went. Unfortunately, the bond he posted was returned before making sure that the courts were repaired and they have since been unusable and abandoned (see Exhibit 5 and Appendix 4).

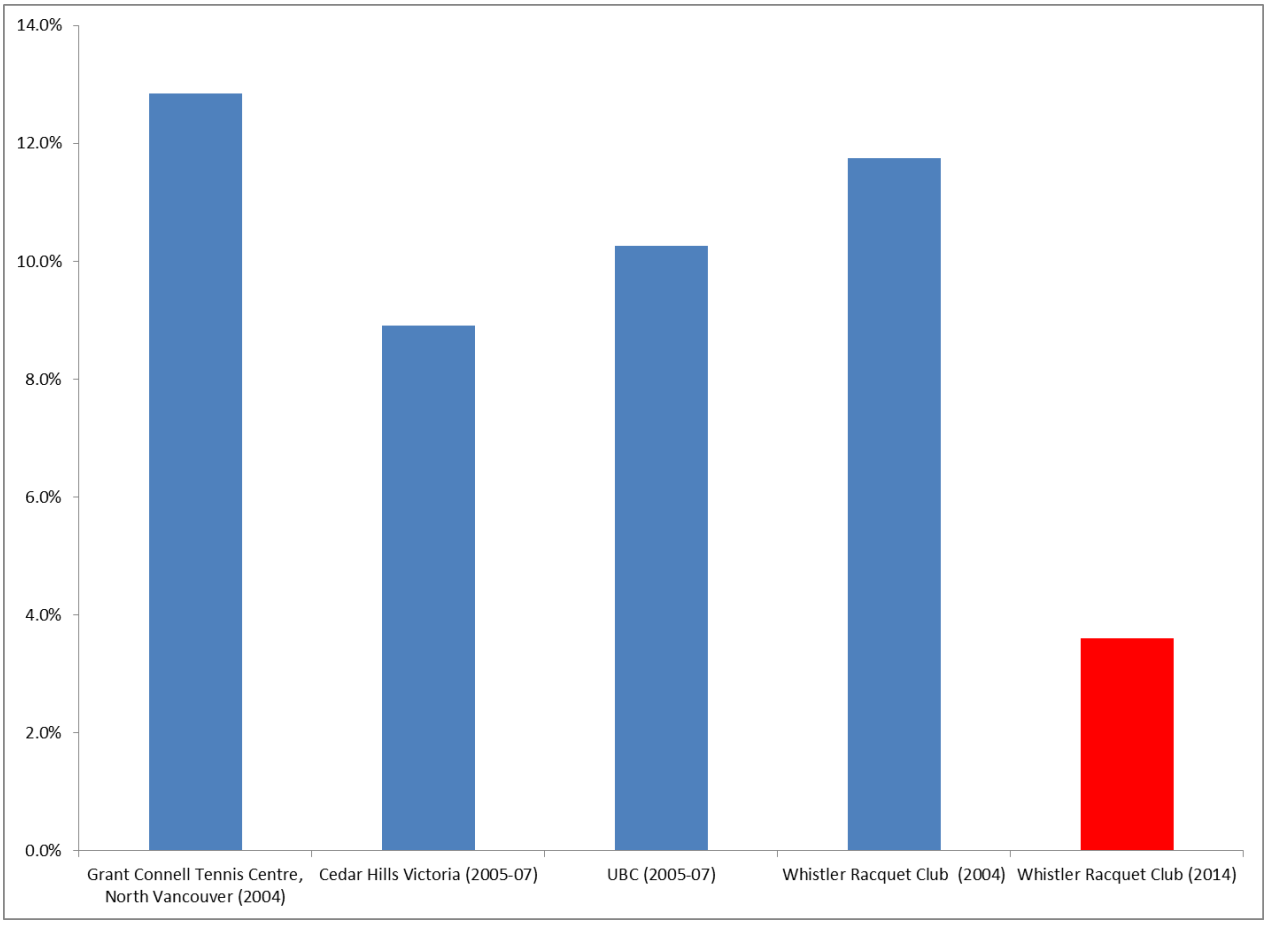
Exhibit 5: Current State of the Three Abandoned "Satellite" Courts at the WRC

Source: WRC

As noted, the previous owners of the WRC, the Holborn Group, provided very little support to the club over the years. In 2004, shortly after the Group acquired the land, the annual expenditures on facilities and maintenance were $47,000 on $400,000 of annual revenues. This was roughly in-line with the level of reinvestment that other facilities were making at the time. Ten years later, however, Holborn was spending just $18,000 on maintenance even though the club's revenues had grown to nearly $500,000. This declining ratio of investments (see Exhibit 6) contradicted—and, in fact, directly facilitated—the increasingly decrepit state of the centre's infrastructure and the growing need for upgrades.

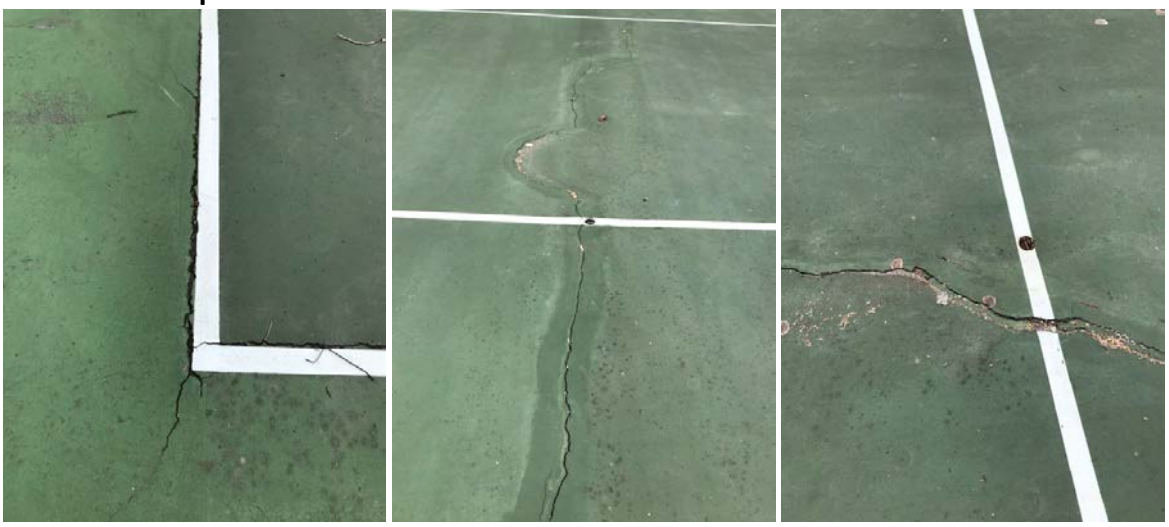
With nothing having changed in the past five years, all of the centre's amenities are now in severe disrepair. Over 300 linear feet of cracks cover the courts (see Exhibit 7), which have not been resurfaced in 12 years. The pool has been neglected, sitting empty year-round since 2011, growing moss and collecting dirt. In the winter, the old heater struggles to get the indoor temperature above 15 degrees, while in the summer the lack of air-conditioning turns the bubble into an insufferably hot greenhouse. When it rains or snows, the roof leaks, dripping water directly on to the courts, which is both dangerous and disruptive to play. The work out room is largely unused because the equipment is old, sparse, and in many cases broken. Lights routinely burn-out, making it difficult to see the ball after dark. Finally, following the departure of the Wildwood Restaurant in 2015, the restaurant space now sits vacant. It is used routinely by community groups such as the bridge club, Tai Chi, and as a meeting place for some non-profits, but its unkempt manner generally adds to the barren, listless look of the club

Exhibit 6: Total Facility Maintenance Expenses as % of Revenues



Source: WRC; Tennis Canada: Sweet Spot Facility Guide 2008

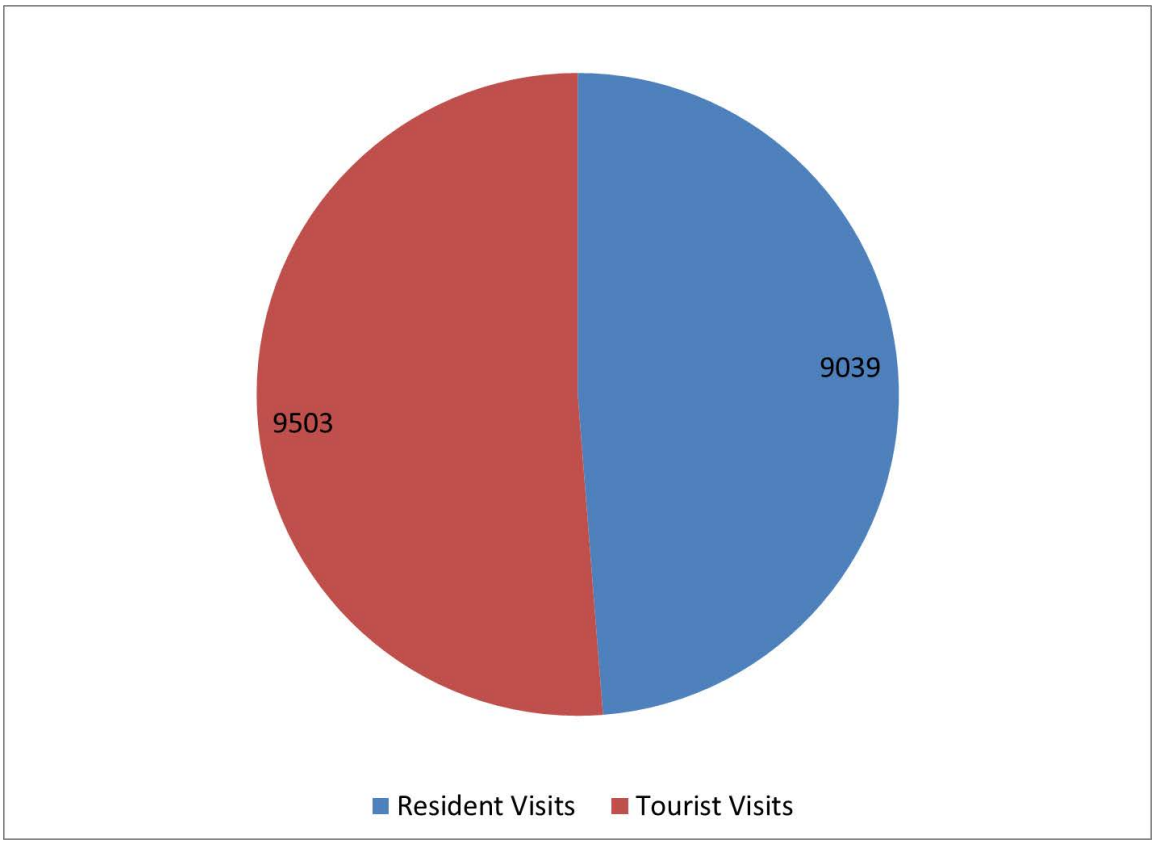
Exhibit 7:Example of Cracks on the Tennis Courts at the WRC



Source: WRC

Despite all of these facts—and thanks largely to the relentless efforts of the WRC's dedicated staff—there remains a vibrant, committed and very friendly group of regular tennis players at the club who continue to support its presence. While Whistler's transient nature and relatively small community of full-time residents—combined with the looming uncertainty of the WRC's future and its increasingly dilapidated condition—have presented some unique member recruitment challenges to the club, the user statistics clearly illustrate the prevailing success and future potential of organized tennis in the community. Based on data collected for a presentation to Whistler's Recreation and Leisure Committee two years ago, the WRC hosted 18,542 total visitors in 2016, equal to an average of over 50 visitors a day. Notably, the mix of local resident visitors vs. non-resident/tourist visitors was split almost exactly 50/50 (see Exhibit 8).

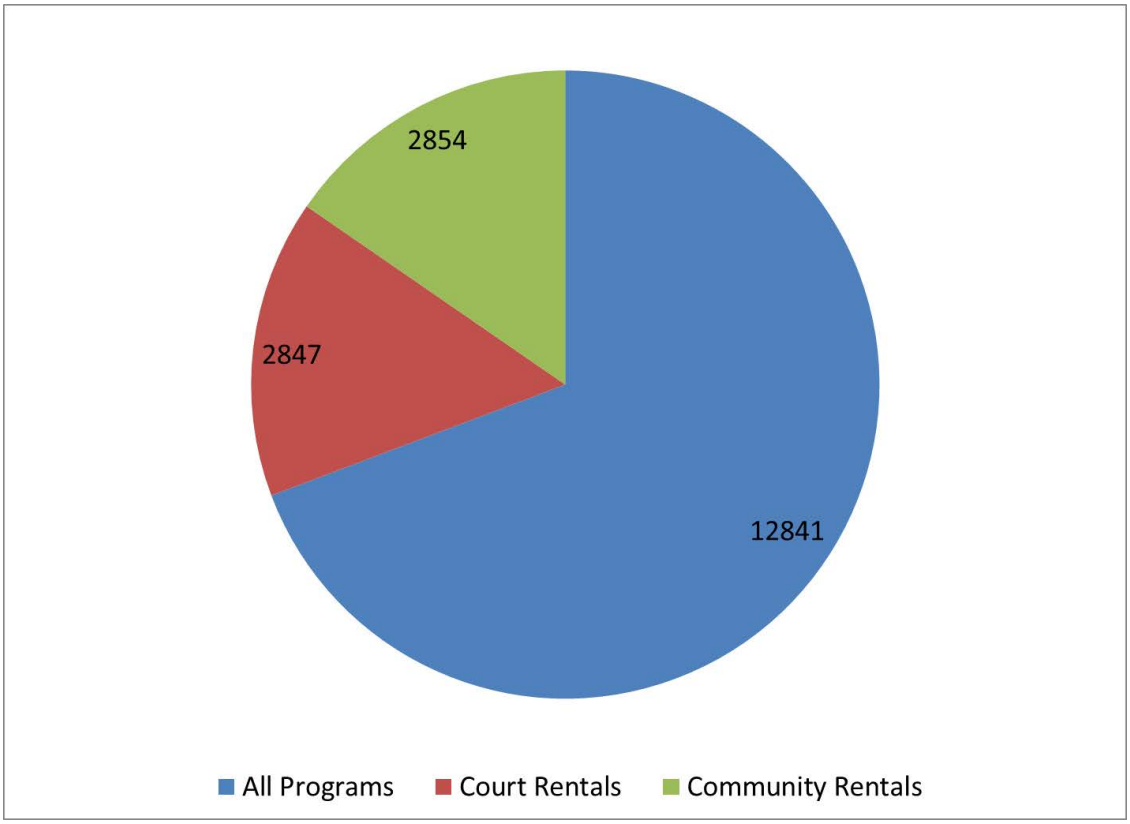
Exhibit 8: Number Resident vs. Tourist Visits to the WRC in 2016



Source: WRC

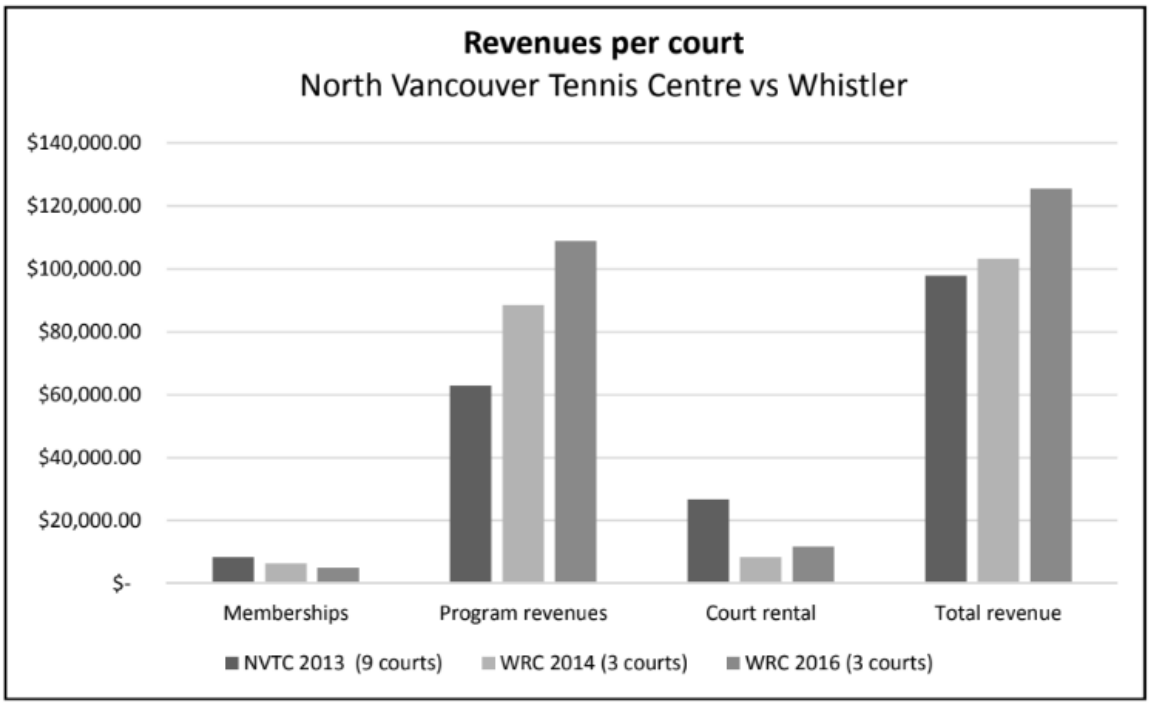
The particularly strong component of these numbers is how the club's programs performed, with over two-thirds of 2016 visitors participating in organized drills, camps, match play, tournaments, etc. (see Exhibit 9). In terms of dollars, the WRC generated over $300,000 of revenue from programming in 2016. Comparatively, the North Van Tennis Club (NVTC), a successful community-orientated facility that is running close to capacity, generated nearly $600,000 of programming revenue in 2013 (both are most recent comparative data). However, it has nine indoor courts that are available year-round, compared to the WRC's three indoor courts. Thus, when the revenue is adjusted on a per court basis, the WTC's programming success stands out even more clearly (see Exhibit 10).

Exhibit 9: Mix of Visitors to WRC in 2016 by Use



Source: WRC

Exhibit 10: Revenue Per Court Analysis of WRC with North Van Tennis Centre



Source: WRC

One of the offsets to this programming success is the relatively low levels of the WRC's membership revenue. Similarly, court rentals at the club compare relatively poorly to the NVTC. That said, rental revenue may simply be a victim of programming's success: i.e. with so much programming scheduled every week, it is often difficult for interested players to book a court for a match. This is especially true in the winter and during bad weather in the summer when the capacity of the indoor facility is limited to just three courts. Similarly, the WRC's limited court capacity may be impacting the membership numbers (who wants to join a club that when it is impossible to book a court at key times?). That said, it is much more likely that membership has recently suffered mostly because of the uncertainty that loomed over the club's future and the poor condition of the facility.

It is critical to emphasize that the WRC's success outlined above has been achieved with virtually no marketing budget, zero community signage (see Exhibit 11), minimal support from Tourism Whistler, and extremely limited facility investments from the prior owners. None of this is meant to lay blame or to victimize the WRC. Rather, it is simply presented as evidence of the club's ability to survive in the face of tremendous headwinds and its potential to grow and succeed further with the proper support from all its stakeholders.

Exhibit 11: Which Way to the WRC? Whistler Signage at Lorimer Road & Northlands Blvd.

Source: WRC

Beyond Tennis: The "Advantage" of a Vibrant Centre for the Community

The most obvious beneficiaries of a strong tennis centre are its end users—i.e. the tennis players. Unlike the various outdoor public courts that are scattered around Whistler Valley, a dedicated facility with indoor courts provides a venue for drills, coaching, match play, and tournaments that can be used year-round, at all times of the day, and under any weather conditions. More importantly, a good centre brings people together, creates a social hub, and provides a strong sense of a community (see Appendix 5). This, of course, benefits locals, many of whom—especially in Whistler—are seeking opportunities to connect with each other[*]. But tourists and part-time residents also benefit from a centre's ability to bring people together. Surveys reveal that visitors who find ways to "interact with the locals" will often say that their overall experience at the resort has been significantly enhanced. Tennis drop-in clinics, tournaments, and camps is a relatively easy way of facilitating this connection.

In addition to directly benefiting the tennis players, a dedicated tennis centre also positively impacts the local economy. The WRC currently employs six full-time equivalent staff in the winter months, including pros, receptionists, and admin support. This rises to 10 FTE employees in the summer when demand for camps increases. Additionally, in July and August, the WRC creates valuable volunteer and employment opportunities for local youth to be involved in the children's programs as assistants to the pros. Maintenance of the facility (when it is actually done) stimulates demand for local cleaning, repair, painting, and other services. Finally, while nothing in Whistler matches the pull of the mountains, tennis does bring visitors to the resort for tournaments and camps. For example, in 2017 the WRC hosted 27 tournaments sanctioned by Tennis BC, drawing over 2000 participants, many of whom were juniors. This represents more tournaments than any other club hosted in the province that year. Assuming that each of these tournament players spends at least one night at a hotel, is joined by family members, and enjoys a meal or two out during his or her visit, the estimated economic impact from tournaments alone would be over $3 million. Again, this is all being achieved with a small, dilapidated facility and virtually no marketing budget, suggesting that tennis' potential financial contribution to the community could be multiples higher under more supportive circumstances.

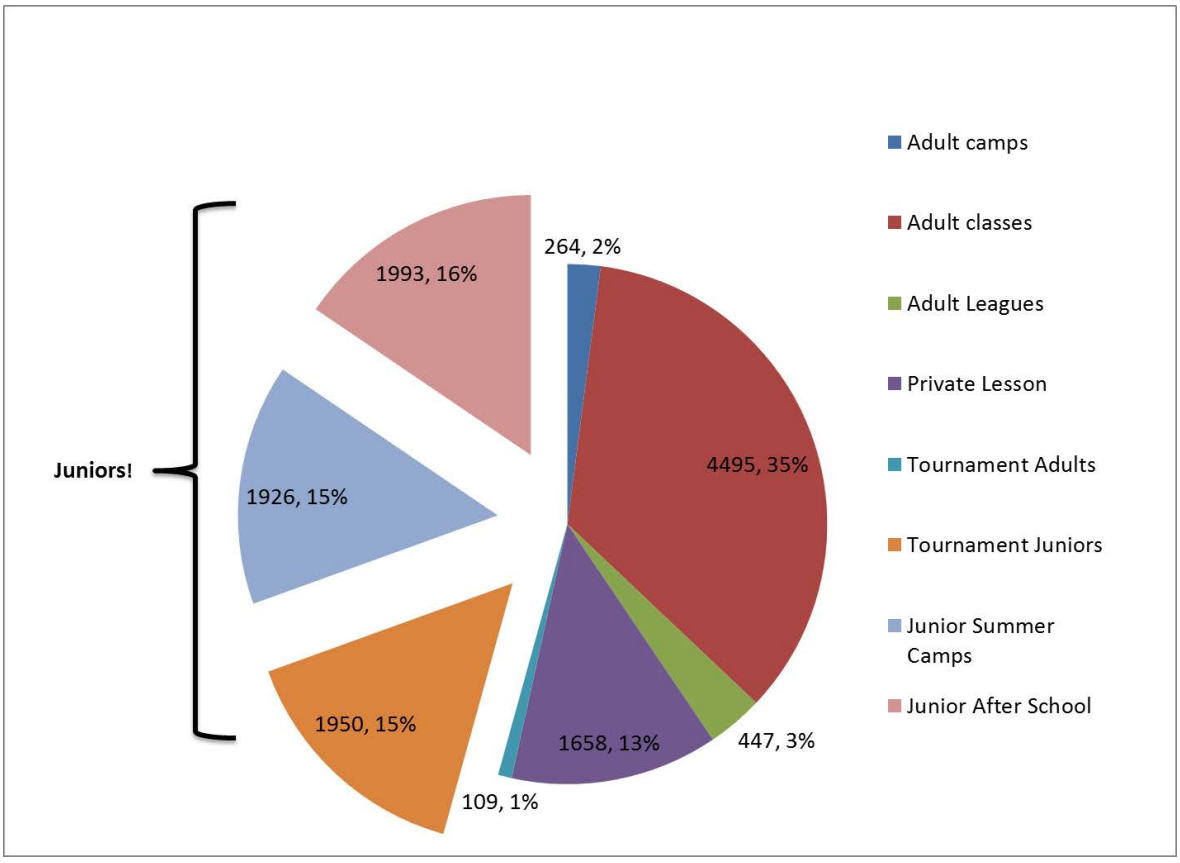
Beyond the social and economic dividends that the WRC pays to the community, it is also important to consider the health and lifestyle benefits of a facility that encourages locals to stay fit and exercise. To be sure, there is no shortage of athletic opportunities in Whistler; however, the inclusion of a quality tennis facility enhances the resort's reputation as a hub of athletics, strengthens the "cluster effect" of sports in the region, and complements the culture of active living in Whistler. This is particularly important for children and teens. As noted, tennis is a rapidly-growing sport among Canada's youth, which raises the value of a year-round venue in Whistler. Programming at the WRC is already highly-geared to this demographic: almost half of the club's programming visitors in 2016 were juniors (see Exhibit 12). One of the most popular activities for kids are the WRC's after-school tennis and multi-sport programs to which the club allocates nine court hours per week. In the summer, the centre is even more active with children as its weekday camps are incredibly popular, drawing roughly 2000 participants per year. At a rate of $265 for 15 hours of lessons per week (9:00 to noon Monday to Friday) this represents both a great way to keep kids moving and a very affordable childcare option for parents.

[*] According to a recent study by Coastal Health, 71% of Whistler residents say that they have no other family in the Sea to Sky Corridor, forcing them to rely more heavily on community amenities to establish social contacts and support.

While the WTA is clearly lobbying for a full time tennis centre on the scale that was promised to the resort 30 years ago and proposed again in 2008, our broader vision is for a multi-use recreational facility that is centered on tennis but is capable of facilitating other complementary sports and activities that will benefit the community. Despite its very limited resources and physical footprint, the WRC is already fulfilling this vision to a certain degree. For example, as much as 14 court hours per week have been allocated to local soccer teams to practice indoors during the winter months. It also regularly converts the tennis courts to pickleball courts, which is another fast-growing global sport (see Appendix 6) that, like tennis, can offer visitors and locals an alternative to skiing and biking (this year, pickleball visits have exploded, totaling over 1400 as of June 30th). Designing some court space to double with basketball and/or baseball (batting/pitching cages) and including some multi-use squash courts could also be efficiently accommodated in the plans. Replacing the pool could revive the only outdoor public swimming pool in Whistler, while an upgrade to the gym and the revival of a restaurant/bar would be other welcome developments and natural fits for the facility.

A practical and economic assessment of the centre's scope would obviously be required to determine the extent to which the WRC could double as a multi-sport facility. However, the point is that there is significant potential for the related benefits to extend far beyond the sport of tennis. In an ideal outcome, a new tennis centre would also become a community hub, possibly complementing Meadow Park but with a different sports profile (tennis vs. hockey), a more social atmosphere, and better accessibility for both visitors and residents.

Exhibit 12: Junior Programming Participants at the WRC as a % of All Participants (2016)



Source: WRC

Whistler and Tennis: A "Match" Made in Heaven!

The Whistler municipal councilors of the late 1980s were arguably ahead of their time. Not only did they foresee the growing popularity of tennis in Canada and around the world, but they also understood the need to diversify the resort beyond skiing in order to attract visitors when the snow melted. Perhaps they were simply following other successful resorts around the world, many of which followed a similar template of using tennis as a means of "weather proofing" their economy and creating an all-season destination for tourists (see Exhibit 13). The fact that there is a strong historical correlation between skiers and tennis players was probably not lost on them either (both Head and Völkl, for example, manufacture skis and racquets). Regardless, even though the councilors' vision for tennis in the community has not yet been realized, there is no doubt of Whistler's success in drawing visitors to the resort year-round. Thirty years later, summer visitors now outnumber those who come in the winter.

New challenges, however, have since emerged. Instead of being concerned with making Whistler a more desirable place to visit, the community is now focused on making Whistler a more desirable place *to live*. Sustainability is also part of today's equation, as is affordability. The WTA believes that a vibrant, modern, centrally-located tennis facility can address all of these issues: livability by creating a social hub through which residents can connect and establish a sense of community; affordability by providing an inexpensive sporting alternative to skiing, mountain biking, etc.; and sustainability by supporting the growth of a non-motorized activity and reducing commuting distance from the village to other sporting facilities and activities. Using the vernacular of the sport, this trifecta of mutually beneficial outcomes for all stakeholders is the equivalence of game, set, match!

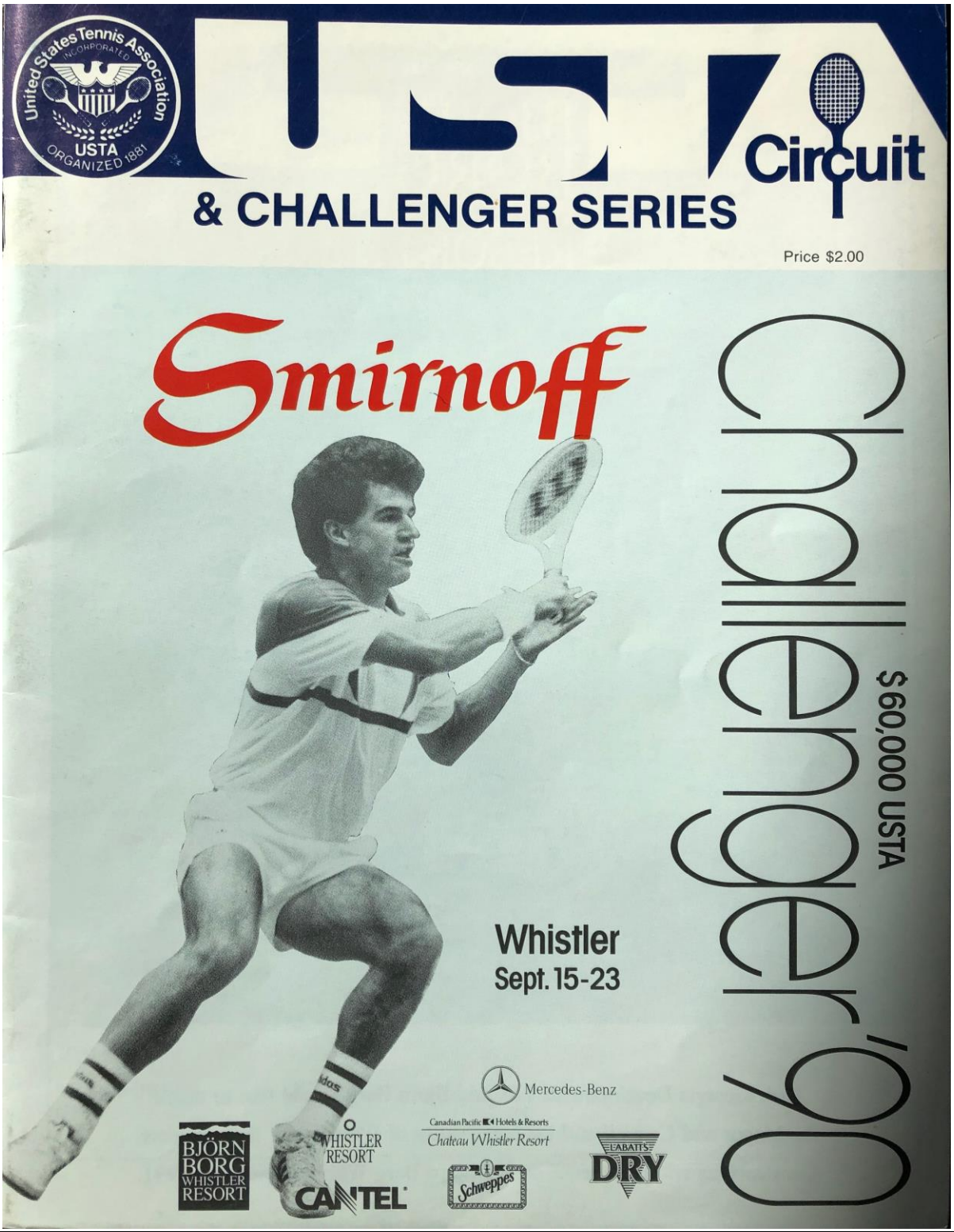
Exhibit 13: The Integration of Tennis Clubs and Skiing at Other Global Alpine Resorts

Ski Resort	Location	Tennis Club
Vail	Colorado	The Vail Racquet Club The Vail Tennis Center
Mont Tremblant	Quebec	Mont Tremblant International Tennis Academy
Lake Tahoe	California	Lake Tahoe Tennis Academy
Kitzbüheler	Austria	Kitzbüheler Tennis Club*
Banff	Alberta	Banff Springs Tennis Club
Stratton Mountain Resort	Vermont	Cliff Drysdale Tennis Center
Jackson Hole	Wyoming	Jackson Hole Golf & Tennis Club
Zermatt	Switzerland	Tennishalle Zermatt

Source: WTA

*The Kitzbüheler Tennis Club hosts the annual Generali Open, a sanctioned ATP 250 event

Appendix 1: Marketing Material for a USTA Challenger Series Professional Tournament to be Hosted at the Björn Borg Centre in Whistler in 1990



Source: Whistler Museum

Appendix 2: Pique Article on the 2005 Rezoning Process with Holborn Group

Tennis Players Knock Down Developer's Plans: Waiting for World Class Facility Promised in 1988

By *Alison Taylor*, May 20, 2005

An international developer met his match in Whistler this week in a showdown with some angry tennis club members. On Tuesday night Jimmy Yap of The Holborn Group presented club members with a proposal to revamp the Whistler Racquet Club as part of plans to develop townhouses and condos near the site. They in turn shot back with a resounding reply: it simply isn't good enough and it does not meet the promises that were made in 1988 for a world class tennis facility in the resort. "That's our expectation for a starting point," said club member Tim Regan. "We want to be shown some love and this ain't it."

Roughly 55 club members filled a room at the Coast Whistler Hotel to hear Holborn's plans. They didn't like what they saw or what they heard and what ensued was, at times an emotional rally of words, as the anger and frustration of 17 years spilled out.

The plans include a renovated tennis club, complete with four new indoor courts and an exercise facility 60 per cent bigger than the existing one. It would have a new members' lounge and court viewing area and the outdoor courts, which are starting to grow fungus and can be slippery at times, would be completely upgraded. It would cost several million dollars to complete the renovations. "What I'm going to build is better than what you have right now," said Yap.

While it's true Holborn's new proposal is a step above the current facilities, it's a far cry from what was proposed to the community all those years ago — namely a top-notch golf instruction facility, a luxury spa in a five star Hyatt hotel and a world class tennis facility called the Bjorn Borg Whistler Resort.

This proposal was approved as the municipality looked to expand its summer amenities and draw guests to the resort for activities other than skiing. A company called Park Georgia was to build it all. Instead, they built the Montebello town homes and a tennis club, which has fallen into disrepair over the years. Its members now want some answers.

At the heart of the issue are the promises that were made to the community all those years ago in exchange for the development rights on that land. Regan said there would have been no development rights on the land were it not for the amenities promised.

It still isn't clear who, if indeed anyone, is legally responsible for delivering those amenities. Yap told the group he does not have a legal obligation to meet those promises. In an interview with Pique Newsmagazine following Tuesday's meeting, Yap explained his position. When he bought the land from Park Georgia, he bought it with a development permit for a nine-storey, 450-unit hotel. "It (the development permit) does not say that I need to redo the tennis club," said Yap. "(But) there seems to be a moral obligation for the community, something that I inherited." He said he is willing to spend in excess of $5 million to fulfill that moral obligation and upgrade the facilities.

Judging by Tuesday night's meeting, that is not a compromise some of these tennis players are willing to accept. And it still does not solve the problem of why these amenities were never delivered in the first place. "If you have no obligation then it's the municipality we should be going after," said one person at the meeting.

What makes the situation all the more interesting is that Holborn does not want to build a hotel on the site. Instead Yap wants to rezone the land for 95 condo units, 58 townhouses and a seniors housing building, a proposal arguably more profitable than a hotel, particularly in the current economic climate. A rezoning application, for all intents and purposes, puts this redevelopment in an entirely new ballgame. A rezoning of this scale and size could prompt the municipality to simply ask for amenities, just as they did with the Nita Lake Lodge rezoning. There, in exchange for the development rights of a hotel, the municipality got two employee housing projects.

It was clear from Tuesday's meeting, however, that there is a distinct feeling of mistrust from club members about the developer's future plans. "We don't feel as though we've been consulted," said club member Patrick McCurdy. Among other things, members are worried that Holborn will develop condos on the land, make money and disappear, leaving behind a tennis club with no one to look after it.

Garry Watson, a voice of reason at the meeting, offered a suggestion to form a committee of six to eight tennis club members who could work with the developer to arrive at a solution agreeable to all parties. The developer was amenable to that suggestion. "I'll be happy to work with them," said Yap the following day. "There's been a lot of miscommunication. Really, if I don't do anything things will just deteriorate."

Appendix 3: Design Drawings for the New Whistler Racquet Club (2008)

Source: IBI Group, Holborn Site Rezoning Application

Appendix 4: Pique Article on the WRC's Damaged Courts

Tennis Courts Damaged by Developer

By *Andrew Mitchell*, March 4, 2011

A bid to build temporary employee housing near the Whistler Racquet Club left three of the facility's outdoor courts damaged, the RMOW confirmed in an email this week.

The damage was the result of the installation of a crane before the Games, as developer Alvaro Ponce de Leon attempted to drum up support for the Whistler Workforce temporary housing project. The project would have included up to 420 beds for resort employees. The venture failed with a lack of interest on the part of local businesses, and the crane was removed before the start of the Games in February.

Ponce de Leon had to post a bond with the municipality to erect the crane on site, and that bond was returned without knowledge of the damage.

According to Bill Brown, acting manager of community life, "The bond was returned once all of Mr. Ponce de Leon's chattels were removed from the site. The RMOW was not aware of the damage until after the bond was returned."

The municipality is working with Holborn, which owns the site, on the issue. Pique asked what the extent of the damage was, how much it would cost to repair and what Ponce de Leon's responsibilities are to make restitution, but did not receive a reply by press time.

This is the second time the tennis club has been in the news recently. Members of the Whistler Tennis Association are upset that Holborn has cut hours of operation, raised prices and allowed the maintenance of the facility to slide. Holborn is currently responsible for operating the club as a community amenity after purchasing the property - and obligations - from the previous owner, Park Georgia. However, council admitted on Tuesday that they don't have the power to compel Holborn to operate the club to a higher standard.

The land was originally zoned as RR1, which would have allowed for the construction of a few homes, when Park Georgia put forward a proposal to build a world-class tennis facility on the site in exchange for bed units. At the time the RMOW was exchanging bed units for tourist amenities, opening the door for the Fairmont Chateau Whistler and Nicklaus North developments.

The Park Georgia proposal included a hotel that was never built. The current tennis facility with a heated bubble was only supposed to be a temporary facility until the development went ahead.

Holborn, which purchased the property for $27 million, has gone as far as third reading to rezone the property as residential, with duplexes, townhomes and condos instead of a hotel, as well as seniors housing and an $18 million tennis and fitness facility. With the economic crisis in 2008 curbing demand for real estate, Holborn never put the proposal forward for fourth reading - something that would have triggered deadlines for construction of the first phase of housing and the tennis/fitness facility.

A concerned member of the public brought it to the Pique's attention in January that the RMOW may have added bed units to the cap without going through the due process of a public hearing - an issue which is also related to the Holborn file.

Holborn's application to rezone the property would result in the company giving up some of the bed units that would have been included in the hotel once planned for the site - bed units that are now included in the cap.

The RMOW recently gave 174 of those bed units to First Nations for their Baxter Creek development above the Rainbow subdivision. As part of a pre-Olympic three-party deal with the Province and the Squamish/Lil'wat Nations, the RMOW received a land bank (including Cheakamus Crossing and the day skier lots), a significant boundary expansion and a double share of the hotel tax from the province to promote tourism in the resort. First Nations were also given land within the resort, including the parcel of land at Baxter Creek.

There were few bed units attached to Baxter Creek, but the Crown transferred over bed units on provincial land to the First Nations development. As well, some unused bed units were transferred from Cressey, which built Fitzsimmons Walk.

The issue is that Holborn's application has not gone through fourth reading. Therefore, if Holborn were to sell the land the new owner could opt to keep the current zoning in place and build a hotel. If that occurred -and it's unlikely given the occupancy issues facing the hotel industry - then the bed units given to Baxter would effectively increase the bed unit cap without any public discussion.

Bill Barratt, the chief administrative officer for the RMOW, said the decision was made with the consent of the previous council to give the bed units to Baxter Creek.

"In this particular case we worked to get (Baxter Creek) within the cap, and if (Holborn's) zoning goes through then bonus - everything is within the cap," he said. "If it doesn't then there are 174 bed units added to the overall cap, but from the perspective of what we got in return... The reality is that with the 300-acre land bank at Cheakamus, the day skier parking lots, the boundary expansions, we got our value.

"At the time, the council of the day knew there were risks."

Barratt said the resort would address the bed unit issue if it comes up, but "for the overall benefit to the community it was a good deal and we're quite happy with it."

The transfer of bed units was not a secret and should have been public knowledge at the time, Barratt said.

Barratt also pointed out that bed units are a development tool that have been valuable in guiding the development of the resort that are determined by zoning and the size of lots, but they are only a concept. He said he is confident that the Holborn development will go through as planned when the economic conditions improve, and the bed unit cap will remain unchanged.

Appendix 5: Pique Article on the Local Popularity of the WRC

Racquet Club Sees Upswing in Participation

By *Dan Falloon,* March 4, 2011

Skiers and snowboarders have been causing quite a racket expressing their displeasure over the lack of snow on local mountains this year. Several others, though disappointed, have been grabbing a racquet instead.

Whistler Racquet Club manager, and director of tennis, Kirk Paterson explained the club has undergone a transition in recent years, moving away from being exclusively a member-based club to allowing more public programming to create a "hybrid."

"We always look at our schedule and try to add a few more programs," said Paterson, who has worked at the club since 2000 and became manager a decade later. "We're in between because Whistler's unique. We adapt to that, and we want to serve the community and have programs for all the different user groups, which could be locals, or visitors, or kids, or adults, or beginners or advanced (players).

"Some people want to learn and some people want to play."

Paterson explained on warmer days, some snow-lovers might end up doing both activities in a day. The goal is generally for the programs to be 75-per-cent full, but they've regularly been at capacity, he said, adding that the club isn't "cliquey" and regulars are used to new people showing up.

"This year has been a bit easier than normal because the weather has brought people here," he said. "Every weekend since October, we've been full, but we don't fill up until the day before, because people wait to see what the weather's like.

"If it was a weekend, they might go up in the morning or play here in the morning and wait for it to soften up."

The club is offering classic programming like Drill & Play, a combination of skill exercises and gameplay, and newer offerings like cardio tennis, where players perform drills but remain active even when not smacking balls.

"After you hit your balls, you have to go through a footwork circuit, so you're shuffling or going through ladders," he said. "We also throw on the music for that, so it motivates people to get moving."

Making the realization that a lot of kids follow an adult's lead when it comes to skiing or finding other activities, the club shifted to a drop-in format for youth programming as well. Paterson sees some talent in town, noting Whistler local John Chan has starred for the University of Waterloo's team.

There are some up-and-comers, as players like Ben Belanger, 11, have taken to the sport. Though he's only been playing for a year, Belanger has reached a point where he's able to volunteer as an assistant coach for younger kids before taking his own lesson. Belanger explains he primarily helps the players with their forehands, backhands and volleys.

He has been coaching for three months and has already seen his perspective on the game start to change as it slows the game down a bit for him.

"It helps me out to hit the ball slowly," he said. "I like teaching. It helps to calm me down.

"Before my lesson, it helps me make a better shot — a better forehand, better backhand."

For the first time, young players have Canadian role models on the world's largest stage, as Milos Raonic is currently ranked sixth and Eugenie Bouchard is ranked seventh. Belanger said he eventually hopes to make it to the professional ranks, and Paterson noted Raonic's and Bouchard's continued high profile has allowed kids to dream.

"It's huge," Paterson said. "Everyone is so excited with Raonic, sixth in the world now, an all-time high."

Appendix 6: NBC News Digital on Growth of Pickleball

Pickleball: The Fastest Growing Sport You've Never Heard Of

By *Amanda Loudin,* April 21, 2019

One of the fastest growing sports in America involves a court and a net. And, no, it's not tennis or badminton, it's pickleball. Yes, that pickleball, the one your grandma plays, and the one you may consider beneath your athletic pay grade. Time to rethink that.

Pickleball has had a 650 percent increase in numbers over the last six years, according to USA Pickleball Association (USAPA). The biggest subset of that growth is not in the over-60 crowd, says Justin Maloof, executive director of USAPA, but the younger set. “When the sport first caught on in the sunbelt states around 2009, it was at 55-plus centers and RV communities,” he says. “It snowballed from there. But these days, there are many municipalities and parks and rec departments that are setting up courts, making it accessible to a younger crowd.”

That’s how 49-year old Rocky Brown first learned of the sport. The Woodbine, Md., real estate professional gave the game a try through his local parks and recreation department and before he knew it, Brown was hooked. “I fell in love with it, found a league and soon was playing five days a week,” he says. “I wanted to help it grow locally, so I became the league director.” Now Brown oversees a league that plays on multiple days per week and offers beginner, intermediate and advanced levels. The Wednesday night, intermediate league now has 120 players, up from just 30 a couple of years ago.

What is pickleball exactly?

For the uninitiated, pickleball is something of a mix between tennis, racquetball and ping pong. Players use special paddles and a wiffle ball, and games take place on tennis courts with specific pickleball lines. Nets and court sizes are smaller than their tennis counterparts, and the most common game is doubles, although singles is also an option. It has its own set of quirky rules — for instance, try to stay out of the “kitchen”— but they’re easy to learn.

Josh Jenkins, who is Brown’s 30-year old partner and plays in professional tournaments around the country, says the game appeals for several reasons. “For one, it’s very social,” he says. “You’ll see a big mix of demographics out there.” Another factor Jenkins appreciates is its mental component. “You need to out-think your opponent,” he says. “There’s a lot of strategy that goes into playing.”

The game is also quick, making it a convenient way to get in some exercise. Games in a typical league run only 15 minutes each — you can get in as little or as much as you want. Brown likes to go for broke. “I wear my fitness tracker when I play and after two hours, I’ve moved the equivalent of four miles of walking,” he says.

Pickleball is inexpensive and requires minimal gear

Pickleball is also affordable, making it accessible to all. A beginner can pick up a basic wooden paddle and balls at retailers like Dick’s Sporting Goods or on Amazon for around $30, although prices for composite paddles can run into the hundreds of dollars. And league play is relatively cheap when compared to other racquet sports.

Because most pickleball games are played on retrofitted tennis courts, it’s quick and easy for a parks and recreation department to get the game up and running, too. “You don’t need dedicated courts, so with some tape and a portable net, you can be good to go within a half hour,” says Maloof.

All of these factors are contributing to the rapid growth the sport is enjoying, but so too is a push from USAPA. “We’ve got over 1,800 ambassadors out there spreading the word,” says Maloof. “We’ve also got a ‘places to play’ database all over the country, and the sport is getting a good deal of attention from media right now.”

There’s no shortage of information available for the beginner on up to the elite, from a dedicated YouTube channel, to a bi-monthly magazine, and even books on the topic. Jenkins, for his part, has co-authored a children’s book on the sport called “Pickleball with Pop,” aimed at drawing kids into the game. There’s even the first pickleball-themed restaurant, Chicken N Pickle, a combo of indoor/outdoor courts, a chicken, beef and pork restaurant that also serves craft beers. The pickleball-playing owners launched the first location in Kansas City, have expanded to Wichita, and will soon open in San Antonio.

WHISTLER'S VitalSigns | Community Foundation of Whistler 20 years of giving 1999-2019

Jack Crompton, Mayor
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC
V8E 0X5

August 29, 2019

Dear Jack,

Re: Request for support letter

Over the past three years, the Community Foundation of Whistler's Vital Signs initiative has sourced grassroots data through community conversations. The goal of Vital Signs is to connect and engage our community on topics that encourage individual action and in turn inform our annual report. This report reflects the health, vitality and changing trends of our community. This information in turn enables our donors to fund grant recipients so they may provide programs which fulfil the identified community needs.

This year we received a grant from the Vancouver Foundation to produce a series of podcasts highlighting the result of these topical conversations from our nine Vital Cafés. Our goal is that these Vital Signs podcasts and annual report will both inform and support our community and Whistler's service organizations in their activities and programs.

We are currently seeking funding from a corporate sponsor as we move into our next phase of the Vital Signs project. We are hopeful that you have found our Vital Signs report helpful in your work. If you recognize that the report as being a valuable tool as you plan activities and meet with the community, we would very much appreciate a reference letter that would support our application for sponsorship. If possible, we would appreciate the inclusion of an anecdote or outcome that recognizes the value of how you have used the Vital Signs information. Thank you, Jack for considering supporting the Vital Signs project in this manner.

Kind regards,

Libby McKeever
Vital Signs Project Coordinator

Paul Dorland
Board Member
Community Foundation of Whistler

From: Jorli Ricker [redacted]
Sent: Tuesday, September 10, 2019 09:34
To: Jack Crompton <jcrompton@whistler.ca>; Wanda Bradbury <WBradbury@whistler.ca>; Arthur De Jong <adejong@whistler.ca>; Cathy Jewett <cjewett@whistler.ca>; Duane Jackson <djackson@whistler.ca>; Jen Ford <jford@whistler.ca>; John Grills <jgrills@whistler.ca>; Ralph Forsyth <rforsyth@whistler.ca>
Subject: Events

Greetings Mr. Mayor and Councillors,

I am writing to express concern about the numerous events hosted by or inclusive to Whistler. Unfortunately it appears that the success of many of the events has surpassed the regions capacity to manage them without causing major disruptions with traffic or to local residents. I also feel that many of these events do not share the DNA of the community and offer little benefit to residents at large.

I currently live in Furry Creek, however my family has had a home in Whistler since 1981. I've seen the area transform and its mostly positive, however it appears that events such as the Grand Fondo, Ironman, Tough Mudder, etc…. are more disruptive than beneficial to the community.

I hope that perhaps it's worth reconsidering what value these events truly offer, Whistler is already a success without them.

Please see photos of highway traffic attached.

Thank you,

Jorli Ricker
[redacted]

From: Ian Brett [redacted]
Sent: Tuesday, September 10, 2019 9:00 AM
To: corporate <corporate@whistler.ca>
Subject: Thank you for scholarship!

To Mayor and Council,
Thank you so much for this award! I apologize for the delay in contacting you. I have been kept busy this summer with work and travelling, and I have deferred my admission to UBC Engineering to take a gap year. I am currently working as a mechanic at Fanatyk Co. Bike Shop and on the paid WORCA trail building crew, as well as having been a part-time mountain bike coach and busser at the Old Spaghetti Factory this summer.

As for travels, I went to Europe for two weeks with two of my friends. I enjoyed spending time with them before they head off to University as well as experiencing different cultures, foods, and architecture in Amsterdam, Prague, Athens, Paros (a greek island), and Paris. The highlight was Prague, as we were blown away by the amount of history there as well as the long-standing castles, buildings, and streets.

In my gap year I plan to travel more - I hope to visit Japan and India, as well as take a road trip to Ontario to see more of our beautiful country. I intend to keep working as a trail builder and mechanic, as well as working towards becoming a server in the winter.

I truly appreciate the opportunity this scholarship has given me in that I will be able to put more time and energy into studying. Another huge benefit is that I will have more options for work in the summers as I can be more focused on the learning opportunities the jobs will offer rather than the pay.

I am so honoured to be the recipient of this scholarship. Thank you again and I'll keep you posted.

Ian Brett
[redacted]

619 Cliff Avenue
P. O. Box 400
Enderby, B. C. V0E 1V0

The Corporation of the City of Enderby
Where the Shuswap Meets the Okanagan

Tel: (250) 838-7230
Fax: (250) 838-6007
Website: www.cityofenderby.com

September 5, 2019

All BC Municipalities/Regional Districts
Via email

Re: Fostering Transportation Network Services in Small Communities

This is to advise that Enderby City Council at its Regular Council meeting held on Tuesday, September 3, 2019 considered the above matter and adopted the following resolution:

> *"WHEREAS the Province of BC has created a regulatory framework permitting transportation network services to operate in BC, which provides a passenger transportation option to address the significant public need for vehicles-for-hire and, in turn, reduce impaired driving, improve the ability of seniors and persons with barriers to access needed resources, and stimulate economic development;*
>
> *AND WHEREAS the Province's regulatory framework is so onerous that it effectively prohibits the establishment of transportation network services outside of the Lower Mainland, and particularly in small, rural, and remote communities where it has the greatest potential to address areas underserved by traditional public transportation options;*
>
> *THEREFORE BE IT RESOLVED that UBCM asks the Province of BC to amend the Passenger Transportation Act to establish an area-based, tiered, regulatory solution that will enable viable and competitive transportation network services in small rural and remote communities as well as other communities outside of the Lower Mainland."*

Accordingly, the above has been submitted to UBCM as a late resolution and the City of Enderby Council requests your favourable consideration of the resolution at the 2019 UBCM convention.

Yours Truly,

Tate Bengtson
Chief Administrative Officer

Cc: MLA Greg Kyllo *via email* greg.kyllo.MLA@leg.bc.ca

From: Jannie Bédard Guillemette
Sent: Wednesday, September 4, 2019 2:08 PM
To: Jannie Bédard Guillemette (r)
Subject: UBCM Convention – Invitation for the Trade Show - September 25 & 26, 2019

Dear Mayor and Council,
I am writing today on behalf of the Administrator of the **Railway Accidents Involving Designated Goods** to invite you to visit our booth #903 at the Union of BC Municipalities Tradeshow on September 25 and 26, 2019 at the Vancouver Convention Centre.

This federal Fund, managed by an independent Administrator, compensates damages to victims of a major crude-by-rail accident. Compensation starts after railway companies have paid up to the amount of their minimum insurance requirement. The Fund was created following the derailment in Lac-Mégantic, which highlighted the need to strengthen the liability and compensation regime for railway companies in Canada.

Why should you visit our booth #903?

1. Discover how we are developing a compensation process that works in the event of a crude-by-rail accident
2. Learn more about the compensation available for victims, such as:
    a. clean-up costs
    b. preventive measures taken
    c. property damage
    d. economic loss
    e. personal injury
    f. environment damage
    g. loss of subsistence living
    h. loss of fishing, hunting and gathering opportunities for Indigenous peoples
3. Explore various ways to provide your community relevant information and evaluate further engagement opportunities, i.e. participation at your events, publications, webinar, etc.

If you can't visit our booth (#903), but would like to set up a meeting at the Vancouver Convention Centre, we have additional availability on the:

- Afternoon of Tuesday, September 24
- Afternoon of Thursday, September 26

We will also be attending several receptions, so we could set up an informal meeting at during those receptions, including at the:

- Tools, Resources & Funding session (Monday)
- Welcome Reception (Tuesday)
- Trade Show reception (Wednesday)
- Annual Banquet (Thursday)

For more information about the Fund, you can visit our website and follow us on our social media account:

- Website: http://fraidg.gc.ca/

    - Annual report 2018-2019: http://fraidg.gc.ca/wp-content/uploads/2019/08/39-005%20B_RapportAnnuelFRAIDG_FR_web.pdf
- LinkedIn: https://www.linkedin.com/company/fraidg-ciafimd
- Twitter: https://twitter.com/fraidg_ciafimd

We look forward to the opportunity to meet with you.
Thank you for your time and consideration!
Sincerely,

Jannie Bédard Guillemette, M.A.
Communications & Stakeholder Engagement Officer | Agente de communication et d'engagement avec les intervenants
Office of the Administrator of the Fund for Railway Accidents Involving Designated Goods | Bureau de l'Administratrice de la Caisse d'indemnisation pour les accidents ferroviaires impliquant des marchandises désignées
E: Jannie.Guillemette@fraidg-ciafimd.gc.ca | www.fraidg-ciafimd.gc.ca

Office of the Administrator of the Ship-source Oil Pollution Fund | Bureau de l'Administratrice de la Caisse d'indemnisation des dommages dus à la pollution par les hydrocarbures causée par les navires
E: jannie.guillemette@sopf-cidphn.gc.ca | www.sopf-cidphn.gc.ca
T: 1-613-990-8666 |A: 830-180 Kent Street, Ottawa, ON, K1A 0N5

Council of Senior Citizens' Organizations of B.C.
Representing Seniors since 1950
www.coscobc.org

September 5, 2019

Dear Mayor and Council,

Re: **Observation of the UN International Day of Older Persons -October 1st**

Established in 1950, the Council of Senior Citizens' Organizations (COSCO) of BC is an umbrella, volunteer run organization made up of many seniors' organizations and individual associate members. Registered under the Societies Act since 1981, COSCO has grown and now represents approximately 80,000 seniors in BC.

Our mandate is to promote the well-being of seniors and their families, advocating for policies that allow seniors to remain active, independent, and fully engaged in the life of our province. The organization is non-partisan, but politically active, advocating for seniors' needs no matter who is in power. Our motto is "Plan with seniors not for them".

COSCO invites you, the civic leaders to help celebrate the

UN International Day of Older Persons (IDOP) 2019

Theme: "The Journey to Age Equality"

The 2019 theme is aligned with the UN's Sustainable Developmental Goal (SDG) 10 and will focus on pathways of coping with existing and preventing future old age inequality through measures to eliminate discrimination, and to "empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion, or economic or other status". "Between 2015 and 2030, the number of people aged 60 and over is expected to increase from 901 million to 1.4 billion- In this regard, trends of aging and economic inequality interact across generations and rapid population aging, demographic and societal or structural changes alone can exacerbate older age inequalities, thereby limiting economic growth and social cohesion."

The sub themes will focus on (i) the care sector- as a contributor of decent work (ii) lifelong learning and proactive and adaptive labour policies (iii) universal health coverage and (iv) social protective measures." (UN IDOP -Homepage <https://www.un.org/development/desa/aging/international-day-of-older-persons-homepage.html>)

Two ways that we ask you to consider to celebrate the IDOP are:
1) Publicly proclaim/declare your support of the IDOP 2019
2) Prominently display the UN IDOP flag for October 1st 2019

We are pleased that last year, for the first time, the Province of British Columbia pro-

claimed that October 1st 2018 would be known as “International Day of Older Persons” (See attachment.). They have been asked by COSCO to do so again this year. We would like the BC city, township and district councils to follow suit. For those councils that are able, declarations are preferred over proclamations as they are ongoing. Please let us know if your council has already made a declaration in the past and if you will be making either an IDOP proclamation or declaration for IDOP 2019.

The UN IDOP flag can be purchased through the Seniors’ Voice website <https://seniorsvoice.org> for a cost of $85 and then can be displayed annually for October 1st. Again, please let us know if you already have a flag that you will be flying this year or if you plan to buy and display a flag this year and in subsequent years.

Seniors’ Voice also has an event page on its website that it is encouraging organizations and people to use to post events held across Canada to celebrate IDOP 2019.

If there is any question about this request, please contact Agnes Jackman at cell# 604-376-5188; 821 20th Street, New Westminster, BC, V3M 4W7; or agnes.jackman@gmail.-com.

Thank you for your consideration.

Yours truly,

Agnes Jackman, Board Member, COSCO, for

Gudrun Langolf, President, COSCO
604-266-7199
pres@coscobc.org

Canada
Province of British Columbia
A Proclamation

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

To all to whom these presents shall come – Greeting

WHEREAS the United Nations International Day of Older Persons celebrates the importance of the 70th anniversary of the Universal Declaration of Human Rights, and reaffirms the commitment to promoting the full and equal enjoyment of all human rights and fundamental freedoms by older persons, and

WHEREAS the 2018 theme of the International Day of Older Persons is "Celebrating Older Human Rights Champions", and

WHEREAS older human rights champions today were born around the time of the adoption of the Universal Declaration of Human Rights in 1948, and

WHEREAS growing older does not diminish a person's inherent dignity and fundamental rights, and

WHEREAS more than 40 years after the adoption of the Universal Declaration of Human Rights, issues of human rights for older persons were taken up in 1991 in the formulation of the United Nations Principles for Older Persons, which provided guidance in the areas of independence, participation, care, self-fulfillment and dignity, and

WHEREAS in 2002, governments for the first time agreed to link questions of ageing to other frameworks for social and economic development and human rights, and

WHEREAS the interdependence between older persons' social integration and the full enjoyment of their human rights cannot be ignored, as the degree to which older persons are socially integrated will directly affect their dignity and quality of life;

NOW KNOW YE THAT, We do by these presents proclaim and declare that October 1, 2018 shall be known as

"International Day of Older Persons"

in the Province of British Columbia.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Our Province of British Columbia to be hereunto affixed.

WITNESS, The Honourable Janet Austin, Lieutenant Governor of Our Province of British Columbia, in Our City of Victoria, in Our Province, this thirteenth day of August, two thousand eighteen and in the sixty-seventh year of Our Reign.

BY COMMAND.

Attorney General
(counter signature for the Great Seal)

Lieutenant Governor

From: Nicole Seguin [mailto:nseguin@fpse.ca]
Sent: Wednesday, September 11, 2019 9:38 PM
To: Jack Crompton <jcrompton@whistler.ca>
Subject: Request to recognize Fair Employment Week in support of Fairness for Contract Faculty

Dear Mayor Jack Crompton

The Federation of Post-Secondary Educators of BC (FPSE) has 10,000 members working in every corner of the province to provide the education people, and our communities, need. With 80% of future jobs expected to require some level of post-secondary education, our network of colleges, institutes, and universities will only become more important. However, thousands of the educators providing this education are precarious and underpaid.

Fair Employment Week is an international campaign to bring attention to the issue of underpaid contract work on campuses and call for change.

On behalf of our 10,000 members, I ask that the Resort Municipality of Whistler Council move a motion recognizing Fair Employment Week October 7-11, 2019 and support fairness for contract faculty. A draft motion is included below.

Together, we can improve working conditions for educators and make our communities a better place to live and work.

Sincerely,

Terri Van Steinburg

President | Federation of Post-Secondary Educators of BC | fpse.ca
Musqueam, Squamish & Tsleil-Waututh Territories | she/her/hers

---

FAIR EMPLOYMENT WEEK | DRAFT MOTION

BECAUSE

1. Fair Employment Week is an opportunity to raise awareness about the rise of precarious employment on campus and the unfair working conditions experienced by contract faculty;
2. Contract faculty can be paid less for doing the same work – some are paid 80% less.
3. Wage fairness and job stability for contract faculty leads to improved services for students, their families, and the local area.

BE IT RESOLVED THAT the Resort Municipality of Whistler Council recognize Fair Employment Week and support contract faculty receiving the same pay for the same work.