



# WHISTLER

## AGENDA

### REGULAR MEETING OF MUNICIPAL COUNCIL

**TUESDAY, SEPTEMBER 4, 2018, STARTING AT 5:30 P.M.**

**Franz Wilhelmssen Theatre at Maury Young Arts Centre  
4335 Blackcomb Way, Whistler BC V0N 1B4**

#### **ADOPTION OF AGENDA**

**That** Council adopt the Regular Council Meeting Agenda of September 4, 2018.

#### **ADOPTION OF MINUTES**

**That** Council adopt the Regular Council Meeting Minutes of August 14, 2018.

#### **PUBLIC QUESTION AND ANSWER PERIOD**

#### **PRESENTATIONS AND DELEGATIONS**

Water Main Break

A presentation by General Manager of Infrastructure Services James Hallisey and Utilities Group Manager Gillian Woodward regarding the water main break.

#### **MAYOR'S REPORT**

#### **ADMINISTRATIVE REPORTS**

2733 Cheakamus  
Way – Garage  
Addition  
File No. DVP1158  
Report No. 18-110

*A presentation by municipal staff*

**That** Council approve the issuance of Development Variance Permit DVP1158 for the proposed development located at 2733 Cheakamus Way to vary the front garage setback from 5.0 metres to 3.4 metres as shown on the architectural plans A-0.1, A-1.1a, A-1.1b, A-2.1a, A-4.1a, A-4.1b, dated June 15, 2018, prepared by Skalski Architecture attached as Appendix B to Administrative Report to Council No. 18-110; and further

**That** Council direct staff to advise the applicant that prior to issuance of DVP1158, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

- a) Bring the existing shed into compliance by meeting the minimum required setbacks of 3 metres from rear and side parcel lines.

4204 Village Square  
– Blackcomb  
Professional Building  
– Exterior  
Renovations and  
New Roof  
File No. DP1631  
Report No. 18-109

*A presentation by municipal staff*

**That** Council approve the issuance of Development Permit DP1631 for the proposed Blackcomb Professional Building exterior renovation and new roof project at 4204 Village Square as illustrated on plans A-01, A-02, A-07, A-08, A-09, A-10, A-11, A-13 and A-14 dated July 10, 2018 prepared by Richard Henry Architect Inc. and attached as Appendix B to Administrative Report No. 18-109, subject to resolution of the detailed items specified in the letter attached as Appendix E to Administrative Report to Council No. 18-109 to the satisfaction to the General Manager of Resort Experience.

Foreshore  
Application  
File No. 2400887  
Report No. 18-111

*A presentation by municipal staff*

**That** Council approve the submission of a foreshore application for an extension to the existing foreshore license at Lakeside Park on Alta Lake; and

**That** Council approve the submission of a new foreshore application at Summer Lane on Green Lake.

### **MINUTES OF COMMITTEES AND COMMISSIONS**

Whistler Bear  
Advisory Committee

Regular Meeting Minutes of the Whistler Bear Advisory Committee of July 11, 2018.

### **BYLAWS FOR THIRD READING**

Zoning Amendment  
(8000, 8006, 8010  
Nesters Road) Bylaw  
No. 2200, 2018

**That** "Zoning Amendment (8000, 8006, 8010 Nesters Road) Bylaw No. 2200, 2018" be given third reading.

Parking and Traffic  
Bylaw No. 2177,  
2018

**That** "Parking and Traffic Bylaw No. 2177, 2018" be given third reading.

Bylaw Notice  
Enforcement  
Amendment Bylaw  
No. 2194, 2018

**That** "Bylaw Notice Enforcement Amendment Bylaw No. 2194, 2018" be given third reading.

### **CORRESPONDENCE**

Alta Lake Road  
Sewer and Gas Line  
File No. 3009

Correspondence from Gabriela von Pfetten, dated July 21, 2018, regarding Alta Lake Road sewer and gas line.

UBCM Official  
Opposition Meeting  
Opportunities  
File No. 2014

Correspondence from Todd G. Stone, MLA, Official Opposition Critic for Municipal Affairs, dated August 13, 2018, regarding UBCM official opposition meeting opportunities.

Whistler Active  
Seniors Day  
Proclamation  
Request  
File No. 3009.1

Correspondence from Kathy White, Vice Chair, Whistler Mature Action Community Society, dated August 15, 2018, requesting that October 1, 2018 be proclaimed as "Whistler Active Seniors Day".

Category 4 Water  
Restrictions  
File No. 3009

Correspondence from Chris Ford, dated August 17, 2018, regarding category 4 water restrictions.

Prostate Cancer  
Awareness Light Up  
Request  
File No. 3009.1

Correspondence from Shelley Werk, Donor Relations, Prostate Cancer Foundation BC, dated August 20, 2018, requesting that on September 9, 2018 the Fitzsimmons Bridge be lit blue in support of Prostate Cancer Awareness Month.

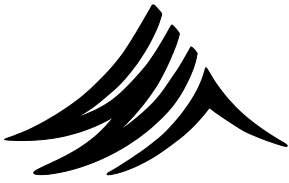
World Cerebral Palsy  
Day Light Up  
Request  
File No. 3009.1

Correspondence from Lindsay Macleod, Events and Development Coordinator, Cerebral Palsy Association of British Columbia, dated August 22, 2018, requesting that on October 6, 2018 the Fitzsimmons Bridge be lit green in support of World Cerebral Palsy Day.

- My Sea to Sky –  
Climate  
Accountability  
File No. 3009
- Correspondence from Tracey Saxby, Co-Founder and Executive Director, My Sea to Sky, and Claire Ruddy, Executive Director, AWARE, dated August 28, 2018, regarding Climate Accountability.
- Forest Ridge  
Rezoning Application  
File No. RZ1151
- Two pieces of correspondence dated between August 9 and 23, 2018, regarding Rezoning Application RZ1151 – 8629 Forest Ridge Drive, from the following individuals:
- Alexandra Kanitz and John Rasmussen; and
  - Jill Almond, Dave Copeland, Bill Gordon, Toby Salin, Mark Savoy, and Tanya Schechter.
- National (Whistler)  
Beerhall Application  
File No. LLR1309
- Three pieces of correspondence dated between August 10 and 28, 2018, regarding the National (Whistler) Beerhall Application, from the following individuals:
- Cindy Pappin and Robert Buckley;
  - Tim Logie; and
  - Shevaun Brown.
- District Energy  
System  
File No. 3009
- Four pieces of correspondence, dated between August 12 and 13, 2018, regarding the District Energy System, from the following individuals:
- Corinna Hoverd;
  - Cheryl Leskiw;
  - Mike McCarville; and
  - Claire Mozes.

#### **TERMINATION**

**That** the Regular Council Meeting of September 4, 2018 be terminated.



# WHISTLER

## MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL  
TUESDAY, AUGUST 14, 2018, STARTING AT 5:30 P.M.

Franz Wilhelmsen Theatre at Maury Young Arts Centre  
4335 Blackcomb Way, Whistler, BC V0N 1B4

### PRESENT:

Mayor: N. Wilhelm-Morden  
Councillors: S. Anderson, J. Crompton, J. Ford, J. Grills, C. Jewett and S. Maxwell

Acting Chief Administrative Officer, J. Hallisey  
General Manager of Corporate and Community Services, T. Battiston  
General Manager of Resort Experience, J. Jansen  
Acting Director of Finance, M. Peatfield  
Acting Director of Planning, M. Laidlaw  
Municipal Clerk, B. Browning  
Manager of Communications, M. Comeau  
Manager of Recreation, R. Weetman  
Acting Manager of Protective Services, L. DeBou  
Planner, F. Savage  
Planning Analyst, J. Abraham  
Protective Services Planning Analyst, K. Creery  
Recreation Assistant, M. Talero  
Council Coordinator, S. Termuende  
Council Coordinator, N. Barr

Community Foundation of Whistler Board Member, Craig Beattie

### FortisBC:

- Project Manager, Barry Best
- Community and Aboriginal Relations Manager, Carmen Driechel
- Senior Project Manager, Yeasmin Alfaruq

### ADOPTION OF AGENDA

Agenda

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

**That** Council adopt the Regular Council Meeting Agenda of August 14, 2018 as amended to bring forward the correspondence from Mark, Robyn, Owen and Elliott Edmondson regarding Pregnancy and Infant Loss proclamation and Light Up request.

CARRIED

### ADOPTION OF MINUTES

Minutes

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** Council adopt the Regular Council Meeting Minutes and Public Hearing Minutes of July 24, 2018.

CARRIED



## CORRESPONDENCE

Pregnancy and  
Infant Loss  
Awareness Day  
File No. 3009.1

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** correspondence from Mark, Robyn, Owen and Elliott Edmondson requesting that October 15, 2018 be proclaimed as “Pregnancy and Infant Loss Awareness Day” and that Fitzsimmons Bridge be lit pink and blue in support be received, referred to staff and proclaimed.

CARRIED

## PUBLIC QUESTION AND ANSWER PERIOD

There were no questions from the public.

## PRESENTATIONS AND DELEGATIONS

Community  
Foundation of  
Whistler Cheque  
Presentation

A presentation was given by Manager of Recreation Roger Weetman and Community Foundation of Whistler Board Member Craig Beattie regarding a Cheque Presentation to Resort Municipality of Whistler for Meadow Park Sports Centre Cardio Room Expansion.

FortisBC Energy Inc.  
Proposed  
Intermediate  
Pressure Gas Line  
Extension

A presentation was given by FortisBC Project Manager Barry Best, Community and Aboriginal Relations Manager Carmen Driechel and Senior Project Manager Yeasmin Alfaruq regarding the Proposed Intermediate Pressure Gas Line Extension.

## MAYOR'S REPORT

Mayor's Report

### Public Art Blessing July 30

The Resort Municipality of Whistler celebrated the addition of a new First Nations public art piece on July 30. The piece is titled *Thunderbird* and is the work of Squamish Nations artist Sinamkin – Jody Broomfield. The piece pays homage to the Squamish Nations' legend of Black Tusk Mountain and how it became what it is today. The unveiling event and a Blessing Ceremony were held at the piece's permanent home on the Cultural Connector, at the east end of the Upper Village Stroll at Chateau Boulevard. It is great to see the addition to Whistler's collection of art in public places.

### GIS Public Art Map

A new interactive online map is now available to see the locations of Whistler's many pieces of art in public spaces. The map is available on the website [www.whistler.ca/maps](http://www.whistler.ca/maps), and allows users to take a virtual tour or act as a complementary guide when touring the pieces in person.

### Wildfire Smoke in Whistler

Wildfire smoke is currently affecting Whistler's air quality. Environment BC has issued an Air Quality Health Index of HIGH for Whistler. Check current air quality ratings on the Government of British Columbia's website [www.gov.bc.ca](http://www.gov.bc.ca).

### Meadow Park Sports Centre Annual Maintenance Closure

Meadow Park Sports Centre will be closed for annual maintenance, between August 20 and September 3, 2018. The entire facility will be closed during this time. The pool will remain closed until September 18, 2018. During the shutdown period, work

undertaken includes replacing the heat trace in the entry exterior pavers and installing all LED lights in the arena as part of continued efforts to maximize energy efficiency. The Resort Municipality of Whistler would like to thank the public for their patience while this work is being completed.

#### Toad Migration Still Underway at Lost Lake

The annual migration of the Western Toads at Lost Lake is almost complete. The “toadlets” began their migration a fortnight ago and tens of thousands of toads have completed their journey from Lost Lake to surrounding forests. Lost Lake Beach reopened last week but the Beach Cut Trail, events lawns, and road access to Lost Lake remain closed for a few more days. There are still toads present throughout the park so remember to look down and keep an eye out for these tiny toads. As areas in Lost Lake reopen, updates will be posted on the website [www.whistler.ca/toads](http://www.whistler.ca/toads).

On behalf of the Resort Municipality of Whistler and the community, Mayor Nancy Wilhelm-Morden thanked everyone who helped to transport toads safely across the beach and road areas with gloves and plastic cups. Mayor Nancy Wilhelm-Morden also thanked residents and visitors who carefully walked through the park during the migration.

#### Bylaw Competition for Local Dog Owners

Now that the Resort Municipality of Whistler is truly in the midst of summer, Mayor Nancy Wilhelm-Morden stated that it is a joy to see so many people out and about. With this, there are many dog owners taking their pets out to parks, the Village and walks on the Valley Trail. Mayor Nancy Wilhelm-Morden stated that it is important to protect dogs and other community members, by keeping dogs leashed in public spaces and added that, if you are taking your dog out for a play at Whistler’s parks, or along the Valley Trail, you might see RMOW Bylaw Officers handing out some new “instant prize” tickets for great dog owners. Just by leashing, licensing and picking up after your dog, you could win a prize, including a one-year dog licence. Learn more about dog-friendly Whistler on the website [www.whistler.ca/dogs](http://www.whistler.ca/dogs).

#### Summer Events in Whistler

Whistler has been home to many summer events over the past two months. A variety of events and festivals have animated the community, including:

- The Children’s Festival;
- Wanderlust;
- Whistler Presents Outdoor Concert Series;
- Whistler Presents Street Entertainment;
- Subaru IRONMAN Canada; and
- Crankworx, which is currently underway.

Mayor Nancy Wilhelm-Morden recognized the provincial Resort Municipality Initiative program for providing provincial funding to support these events and to support tourism projects and programs in BC. She thanked the community for its support of these events. They are aligned with our event and sport hosting role, culture, and history, and also help ensure Whistler’s economic resiliency in the future. Mayor Nancy Wilhelm-Morden noted that, at these events it is always incredible to see the dedication and support provided by the community, and thanked community event partners and the volunteers who work hard on the ground.

Mayor Nancy Wilhelm-Morden encouraged the community to get out and continue to enjoy the incredible events that visit our home during summer.

Upcoming events in Whistler can be found on the website [www.whistler.ca/events](http://www.whistler.ca/events).

#### UBCM in Whistler September 10-14, 2018

The Union of BC Municipalities convenes for the annual conference in Whistler this September from September 10 to 14, 2018. The UBCM conference offers a great opportunity for municipal delegates to come together and discuss areas of shared interests as well as the opportunity for municipalities to meet with provincial ministers.

Mayor Nancy Wilhelm-Morden will be taking the opportunity to meet other Mayors at the Mayor's Caucus to discuss common goals and learn from each other's experiences.

Conference and group business is an important part of the mix of visitors that we welcome annually, and Mayor Nancy Wilhelm-Morden thanked Tourism Whistler for their work along with Resort Municipality of Whistler staff to win the bid for this group to come to Whistler.

Mayor Nancy Wilhelm-Morden looks forward to welcoming the delegates.

#### Retirement of Norm McPhail

Mayor Nancy Wilhelm-Morden acknowledged the contributions of Norm McPhail who retired on August 1, 2018. Norm McPhail worked in Whistler for 17 years with the Resort Municipality of Whistler and the Royal Canadian Mounted Police. Most recently, Norm McPhail worked as General Manager, Corporate and Community service. He also worked for 12 years in senior policing roles in Whistler, as part of his 30-plus year career with the Royal Canadian Mounted Police.

Mayor Nancy Wilhelm-Morden thanked Norm McPhail, on behalf of Council and the Resort Municipality of Whistler, for his dedication and commitment to the community and the organization, and wished him well in his retirement.

#### Ted Battiston appointed as General Manager, Corporate and Community Services:

Following the retirement of Norm McPhail, Ted Battiston has been appointed as the General Manager, Corporate and Community Services.

Mayor Nancy Wilhelm-Morden welcomed Ted Battiston who began in his new role today, August 14, 2018. Mayor Nancy Wilhelm-Morden noted that Ted Battiston has worked for the Resort Municipality of Whistler more than 14 years and he brings a wealth of diverse knowledge and experience to the role.

Before joining the Resort Municipality of Whistler, Ted Battiston worked as a resort planner for Whistler-based Brent Harley & Associates from 2002 to 2004, followed by several roles at the Resort Municipality of Whistler including his work as a community sustainability planner, Whistler 2020, and the managerial role overseeing sustainability, energy and emissions reductions, and director of Corporate, Economic and Environmental services. Mayor Nancy Wilhelm-Morden thanked Ted Battiston for his continued great work with the Resort Municipality of Whistler.

#### China Delegation

Mayor Nancy Wilhelm-Morden noted that she met with a delegation of 8 representatives including the Deputy Mayor from Jilin City, China. They are building a ski resort and came to Whistler to learn what they could from us. Mayor Nancy Wilhelm-Morden noted that it was an interesting meeting and she has no doubt, with their determination, that they will build a successful ski resort.

#### District Energy System Update

Earlier today in the Closed Meeting, Council discussed the District Energy System connected home heating systems associated with the 174 Whistler Development Corporation constructed units in Cheakamus Crossing. Further to the steps already taken to provide these property owners with ongoing information, maintenance support and options, Council recognizes that some residents are still having issues with their in-home systems and are seeking further information, guidance and assistance.

Council discussed several potential measures that will seek to:

- help ensure that important annual maintenance is put into place;
- address systems that have exhibited systematic failure; and
- help those interested in opting out of the system.

Council has directed staff to further investigate these measures, and steps around implementation are anticipated to be shared publicly and with property owners in September.

#### Recreation Program Registration Process

Councillor J. Ford noted that the registration for recreation programs following the implementation of the new Perfect Mind software went smoothly and thanked the recreation staff and the RMOW IT team.

#### Flagstop Theatre and Arts Festival

Councillor J. Crompton noted that he attended the Flagstop Theatre and Arts Festival at The Point at the weekend and it was an amazing experience. He noted that Ira Pettie directed the production of Whistler's Peter Pan, and was impressed with the performance and added that it was a great event overall.

### **INFORMATION REPORTS**

Second Quarter  
Financial Report –  
2018

File No. 4527  
Report No. 18-108

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** Council receive Information Report No.18-108 regarding the Quarterly Financial Report for the six months ended June 30, 2018.

CARRIED

Whistler Energy  
Consumption And  
Greenhouse Gas  
Performance  
Trends – 2017  
Annual Report  
File No. A05001  
Report No. 18-099

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

**That** Council receive Information Report No.18-099 regarding Whistler's annual Energy Consumption and Greenhouse Gas Performance Trends.

CARRIED

## ADMINISTRATIVE REPORTS

7200 Lorimer  
Road –Telus  
Building Addition  
File No. DP1622 &  
DVP1156  
Report No. 18-100

Moved by Councillor J. Ford  
Seconded by Councillor J. Grills

**That** Council approve the issuance of Development Permit DP1622 and Development Variance Permit DVP1156 for a one-storey building addition with the following variances:

- a) Vary the front setback from 60.0m to 28.0m;
- b) Vary the north side setback from 60.0m to 16.1m;
- c) Vary the south side setback from 60.0m to 30.7m;
- d) Vary the rear setback from 60.0m to 18.5m;

as per the architectural plans prepared by Stark Architecture (A1 - A6), dated August 8, 2018, attached as Appendix "B" to Administrative Report No. 18-100.

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** the motion be amended to require the building to continue to operate as the perimeter fence.

CARRIED

Moved by Councillor S. Anderson  
Seconded by Councillor J. Ford

**That** the motion be tabled and referred to staff to find out what the intended purpose of the office space is, and if there will be an impact to traffic on the road.

CARRIED

RZ1156 – 8000,  
8006, 8010  
Nesters Road –  
Zoning  
Amendment Bylaw  
Correcting CSF1  
Zone  
File No. RZ1156  
Report No. 18-101

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

**That** Council consider giving first and second reading to "Zoning Amendment Bylaw (8000, 8006, 8010 Nesters Road) No. 2200, 2018"; and

**That** Council waive the holding of a public hearing regarding "Zoning Amendment Bylaw (8000, 8006, 8010 Nesters Road) No. 2200, 2018" pursuant to Section 464(2) of the *Local Government Act*; and further

**That** Council authorize staff to give notice that the public hearing is waived as pursuant to Section 467 of the *Local Government Act*.

CARRIED

Parking and Traffic  
Bylaw No. 2177,  
2018 & Bylaw  
Notice  
Enforcement  
Amendment Bylaw  
No. 2194, 2018  
File No. 2177 &  
2194  
Report No. 18-102

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** Council consider giving first and second readings to the "Parking and Traffic Bylaw No. 2177, 2018" as amended in section 8.1 (No person may stop, stand or park a vehicle:) by deleting the text in subsection (ff) "on a highway if the vehicle is a recreational vehicle, except in locations in which the parking of recreational vehicles is specifically permitted by a traffic control device" and renumbering the sections accordingly; and

**That** Council consider giving first and second readings to "Bylaw Notice Enforcement Amendment Bylaw No. 2194, 2018".

CARRIED

RZ1009 – 2501, 2505  
and 2509 Gondola  
Way – Rezoning  
Proposal  
File No. RZ1009  
Report No. 18-103

Moved by Councillor J. Crompton  
Seconded by Councillor S. Anderson

**That** Council consider giving third reading to “Zoning Amendment Bylaw (Bunbury Lands) No. 2191, 2018”.

CARRIED

5597 Alta Lake Road  
Covenant Discharge  
File No. CM102  
Report No. 18-104

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** Council approve the discharge of Covenant (Registration Number BH231978) from the title of the property located at 5597 Alta Lake Road (Lot C, DL 2246 & 4363, Plan LMP17409, NWD).

CARRIED

CM00109/LLR1309 –  
National (Whistler)  
Covenant  
Modifications for  
Bowling/Games  
Facility  
File No.  
CM00109/LLR1309  
Report No. 18-105

Moved by Councillor S. Anderson  
Seconded by Councillor J. Ford

**That** Council authorize staff to schedule a Public Hearing regarding an application by Larco Investments Ltd. for covenant modifications related to an application by National (Whistler) Beerhall Inc. for a bowling and games facility and associated liquor licences in Strata Lot 241 at 4295 Blackcomb Way.

CARRIED

RBC GranFondo  
Whistler  
Liquor Licence  
Capacity  
File No. 8216  
Report No. 18-106

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

**That** Council approve the Special Event Permit capacity of over 500 for the RBC GranFondo Whistler to be held on Saturday, September 8, 2018, subject to Liquor and Cannabis Regulation Branch, Whistler Fire Rescue Services and RCMP approvals.

CARRIED

Beer Festival Liquor  
Licence Capacity  
File No. 8216.52  
Report No. 18-107

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** Council endorse a requested capacity of over 500 people for a Special Event Permit for the Whistler Village Beer Festival beer tasting events to be held in Whistler Olympic Plaza on Saturday, September 15, and Sunday, September 16, 2018, subject to Liquor and Cannabis Regulation Branch, Whistler Fire Rescue Services and RCMP approvals.

CARRIED

#### **MINUTES OF COMMITTEES AND COMMISSIONS**

Recreation Leisure  
Advisory Committee

Moved by Councillor J. Ford  
Seconded by Councillor J. Grills

**That** Council receive the Regular Meeting Minutes of the Recreation Leisure Advisory Committee of June 14, 2018.

CARRIED

### **BYLAWS FOR FIRST AND SECOND READINGS**

Zoning Amendment  
Bylaw (8000, 8006,  
8010 Nesters Road)  
No. 2200, 2018

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** "Zoning Amendment Bylaw (8000, 8006, 8010 Nesters Road) No. 2200, 2018" be given first and second readings.

CARRIED

Parking and Traffic  
Bylaw No. 2177,  
2018

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** "Parking and Traffic Bylaw No. 2177, 2018" be given first and second readings as amended.

CARRIED

Bylaw Notice  
Enforcement  
Amendment Bylaw  
No. 2194, 2018

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

**That** "Bylaw Notice Enforcement Amendment Bylaw No. 2194, 2018" be given first and second readings.

CARRIED

### **BYLAWS FOR THIRD READING**

Zoning Amendment  
Bylaw (Bunbury) No.  
2191, 2018

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** "Zoning Amendment Bylaw (Bunbury) No. 2191, 2018" be given third reading.

CARRIED

### **BYLAWS FOR ADOPTION**

Zoning  
Amendment Bylaw  
(CT11 Zone) No.  
2187, 2018

*Councillor J. Crompton declared a conflict of interests due to business interests at the site and left Council Chambers at 8:09 p.m.*

Moved by Councillor J. Ford  
Seconded by Councillor S. Anderson

**That** "Zoning Amendment Bylaw (CT11 Zone) No. 2187, 2018" be adopted.

*OPPOSED: Councillor C. Jewett*

CARRIED

*Councillor J. Crompton reentered the meeting at 8:11 p.m.*

### **OTHER BUSINESS**

Whistler Bear  
Advisory Committee  
Appointment

The Mayor advised that Ivana Minic-Lukac was appointed to the Whistler Bear Advisory Committee.

Energy Use and  
Emissions Reporting  
Resolution

Moved by Councillor S. Maxwell  
Seconded by Councillor J. Ford

**That** Council direct staff to provide Council with quarterly updates with details by the list of actions and data on emissions and energy use (as available) with the first report due by the end of September.

*Opposed: Councillor S. Anderson*

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** Council direct staff to provide Council with a quarterly checklist of CECAP actions and status, with the first report due by the end of December.

*Opposed: Councillor S. Anderson*

CARRIED

**CORRESPONDENCE**

Employer Health Tax  
Impact on Local  
Government  
File No. 2014

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** correspondence from Walt Cobb, Mayor of Williams Lake, dated July 17, 2018, regarding the impacts of the Employer Health Tax on the City of Williams Lake be received and referred to staff.

CARRIED

Alta Lake Road  
Additional  
Speedbump Request  
File No. 3009

Moved by Councillor J. Ford  
Seconded by Councillor J. Grills

**That** correspondence from Jon Lutz, dated July 22, 2018, requesting that an additional speedbump be installed on Alta Lake Road be received and referred to staff.

CARRIED

Caribou Recovery  
Program  
File No. 2014

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** correspondence from Jonathan VanBarneveld, Acting Mayor of the District of Houston, dated July 23, 2018, regarding support for the Province of British Columbia's Caribou Recovery Program be received.

CARRIED

Festival of Trees  
Sponsorship  
Request  
File No. 3009

Moved by Councillor J. Crompton  
Seconded by Councillor S. Anderson

**That** correspondence from Louise Caparella, Executive Assistant, Four Seasons Resort and Residences Whistler, dated July 26, 2018, requesting Council consider sponsoring a Tree and the upcoming Festival of Trees event be received and referred to staff.

CARRIED



HandyDART Bus  
for Whistler and  
Pemberton  
File No. 3009

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** correspondence from Karen Clarke, Better at Home Coordinator, Sea to Sky Community Services, dated July 27, 2018, regarding implementing a HandyDART Bus for Whistler and Pemberton be received and referred to staff.

CARRIED

Ironman Feedback  
File No. 3009

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

**That** correspondence from Keenan Moses, Whistler Eco Tours, dated August 6, 2018, providing feedback regarding Ironman be received and referred to staff.

CARRIED

Valley Trail  
Improvements  
File No. 3009

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** correspondence from David MacPhail, dated August 7, 2018, requesting that improvements be made to the Valley Trail section at the intersection of St Antons Way and Blueberry Drive be received and referred to staff.

CARRIED

District Energy  
System  
File No. 3009

Moved by Councillor J. Crompton  
Seconded by Councillor S. Anderson

**That** 11 pieces of correspondence, dated between August 7 and August 9, 2018, regarding the District Energy System, from the following individuals be received and referred to staff:

- Mark Edmondson;
- Tony Twort and Hazel Boyd;
- Maeve and Jeremie Bellmore;
- Christian Boone;
- Jennifer Brophy;
- Kelly Gibbens;
- Elizabeth Harris and Chris McKinney;
- Keith Lee;
- Alan MacDonald;
- Zach Wade; and
- Ryan Weese.

CARRIED

RZ1151 – 8629  
Forest Ridge Drive  
File No. 3009

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

**That** three pieces of correspondence, dated between August 6 and 8, 2018, regarding Rezoning Application RZ1151 - 8629 Forest Ridge Drive, from the following individuals be received and referred to staff:

- Cynthia Higgins;
- Auley and Scott Serfas; and
- Jennifer and Adrian Scott.

CARRIED

World Mental  
Health Day Light  
Up Request  
File No. 3009

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

**That** correspondence from Kristina Marrington, Project Lead 2018, Amanda Todd Legacy, dated July 22, 2018, requesting that on October 10, 2018 the Fitzsimmons Bridge be lit purple in support of World Mental Health Day be received and referred to staff.

CARRIED

National  
Mitochondrial  
Disease  
Awareness Week  
Light Up Request  
File No. 3009.1

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

**That** correspondence from Kate Murray, MitoCanada Foundation, received July 31, 2018, requesting that on September 17, 2018 the Fitzsimmons Bridge be lit green in support of National Mitochondrial Disease Awareness Week be received and referred to staff.

CARRIED

Western Toad  
Migration  
File No. 3009

Moved by Councillor J. Ford  
Seconded by Councillor J. Crompton

**That** four pieces of correspondence dated between August 3, 2018 and August 8, 2018, regarding the Western Toad migration, from the following individuals be received and referred to staff:

- Ivana Minic-Lukac;
- Cate Wiebe;
- Ranya Dube; and
- Kevin Radford.

CARRIED

National (Whistler)  
Beerhall  
Application  
File No. LLR1309

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

**That** 17 pieces of correspondence, dated between July 23, 2018 and August 2, 2018, regarding the National (Whistler) Beerhall Application, from the following individuals be received and referred to staff:

- Lon Flath;
- Caroline Bagnall;
- Nina Moore;
- Kristen Wint;
- Kelly Gave;
- Stephen Neal;
- Dali Janic;
- Anita McGee;
- Harvey Lim;
- Maggi Thornhill;
- Henrik Zessel;
- Shane Bourbonnais;
- Brodie and Pippa Henrichsen;
- Ian Inniss;
- Howard Wong;
- Norman Mastalir; and
- Damian Saw.

CARRIED

**TERMINATION**

Motion to  
Terminate

Moved by Councillor J. Crompton  
Seconded by Councillor J. Ford

**That** the Regular Council Meeting of August 14, 2018 be terminated at 8:27 p.m.

CARRIED

---

Nancy Wilhelm-Morden,  
Mayor

---

Brooke Browning,  
Municipal Clerk



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** September 4, 2018

**REPORT:** 18-110

**FROM:** Resort Experience

**FILE:** DVP1158

**SUBJECT:** DVP1158 – 2733 CHEAKAMUS WAY – GARAGE ADDITION

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION

**That** Council approve the issuance of Development Variance Permit DVP1158 for the proposed development located at 2733 Cheakamus Way to vary the front garage setback from 5.0 metres to 3.4 metres as shown on the architectural plans A-0.1, A-1.1a, A-1.1b, A-2.1a, A-4.1a, A-4.1b, dated June 15, 2018, prepared by Skalski Architecture attached as Appendix B to Administrative Report to Council No. 18-110; and further

**That** Council direct staff to advise the applicant that prior to issuance of DVP1158, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

- a) Bring the existing shed into compliance by meeting the minimum required setbacks of 3 metres from rear and side parcel lines.

### REFERENCES

Location: 2733 Cheakamus Way  
Legal: PID 018-301-312 LOT 39 DISTRICT LOT 3556 PLAN LMP10758  
Owner: Natalie Gerrie & Shannon Kingi  
Zoning: RS1 (Single Family Residential One)

Appendices: “A” Location Map  
“B” Architectural Plans  
“C” Letter from the Applicant

### PURPOSE OF REPORT

This Report seeks Council's consideration for a variance to “Zoning and Parking Bylaw 303, 2015” for the front setback for a proposed attached garage at 2733 Cheakamus Way in the Millar's Pond neighbourhood.

Council has the authority to vary “Zoning and Parking Bylaw 303, 2015” through Section 498 of the *Local Government Act*.

### DISCUSSION

The owners are proposing to construct an attached garage to an existing detached dwelling at 2733 Cheakamus Way in Millar's Pond.

### Site Context

The existing detached dwelling was developed in 1994 under Building Permit BP003873-94. Appendix “A” shows the location of the subject property. The existing detached dwelling is situated on a parcel 694 square metres in area. The parcel is relatively flat with minimal increase in grade from the road to the detached dwelling.

### Proposed Development

As seen in the architectural plans in Appendix “B”, the attached garage is proposed to be built at the front of the existing detached dwelling to provide parking for two vehicles. Because the existing detached dwelling is sited on the lot to meet the minimum front setback requirements, a minor front setback variance is required to locate the attached garage at the front of the dwelling.

Hard driveway surface and a planting bed will be removed to accommodate the new garage addition. Minimal landscaping changes will be required; no trees will be removed.

The proposed garage will measure 40.5 square metres in floor area and does not contribute to gross floor area, however it will increase the proposed site coverage to 28%, which is well within the allowable site coverage of 35%.

As outlined in the letter from the applicant in Appendix “C”, the owners of the property are requesting a minor front setback variance for the proposed garage in order to park two vehicles and see the addition as a valuable asset, especially during winter months.

### Proposed Development Variance

The requested variance can be described below:

<b>Variance Request</b>	<b>Zoning and Parking Bylaw No. 303, 2015 Regulation</b>
Vary the front garage setback from 5.0 metres to 3.4 metres.	<p>Section 12.1(13) – The minimum permitted front setback is 7.6 metres.</p> <p>Section 5.14(1) – In all RS, RI and RT Residential zones, in the TB1 zone, and for detached and duplex dwellings in all RTA zones, an auxiliary or attached building for garage or carport use may be set back a minimum of 5 metres from the front parcel line.</p>

The requested variance is identified on the architectural plans attached as Appendix “B”.

## 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 proposal conforms to all other Zoning Bylaw regulations; no new density is proposed.
	The built environment is attractive and vibrant, reflecting the resort community's character, protecting views and evoking a dynamic sense of place.	The dwelling is designed by a local architect and is considered to be consistent with the neighbourhood character.
	Continuous encroachment on nature is avoided.	The proposed garage will replace part of the existing driveway; no encroachment into existing yard or treed areas.

W2020 Strategy	AWAY Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Energy	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	Energy is required to manufacture the necessary building materials and maintain the building addition.

The proposed garage addition at 2733 Cheakamus Way does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

## OTHER POLICY CONSIDERATIONS

### Development Variance Permit Criteria

Staff have established criteria for consideration of development variance permits. The proposed variances are considered to be consistent with these criteria as described in the table below.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood.	The proposed garage will replace existing driveway; the design is complimentary to the neighbourhood character; surrounding neighbours have attached garages facing the street.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	The site is relatively flat, no grade changes are required. Minimal site preparation will be required to remove the existing driveway.
Maintains or enhances desirable site features, such as natural vegetation, trees and rock outcrops.	N/A
Results in superior siting with respect to light access resulting in decreased energy requirements.	N/A
Results in superior siting with respect to privacy.	N/A
Enhances views from neighbouring buildings and sites.	N/A

Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	N/A
Increases the appearance of building bulk from the street or surrounding neighbourhood.	The addition will increase the size of the dwelling, but is one-storey, low in profile and still in keeping with current scale and building mass within the neighbourhood.
Requires extensive site preparation.	N/A
Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, and views).	N/A
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	N/A
Requires a height variance to facilitate gross floor area exclusion.	N/A
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).	No impacts anticipated. The front of the garage is located approximately 10 metres from the curb edge of Cheakamus Way and the garage will result in less snow having to be cleared from the driveway.

### Zoning and Parking Bylaw 303, 2015

The property is zoned RS1 (Single Family Residential One). The requested variance to “Zoning and Parking Bylaw 303, 2015” is described in the Discussion section of this report.

The proposal meets all other regulations of “Zoning and Parking Bylaw 303, 2015” as demonstrated in the table below:

	Zoning Bylaw 303/RS1 Zone	Proposed
Maximum GFA	243 sq.m.	210 sq.m. (unchanged)
Maximum floor area for auxiliary parking use	70 sq.m.	40.5 sq.m.
Site coverage	35%	28%
Side Setback	3.0 m	3.0 m
Required parking spaces	3	3

### BUDGET CONSIDERATIONS

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

### COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP1158 is posted on the property.

Notices were sent to surrounding property owners in August, 2018. At the time of writing this report, no letters had been received from neighbours.

Any letters received following the preparation of this report will be presented to Council at the time of consideration of the application

## **SUMMARY**

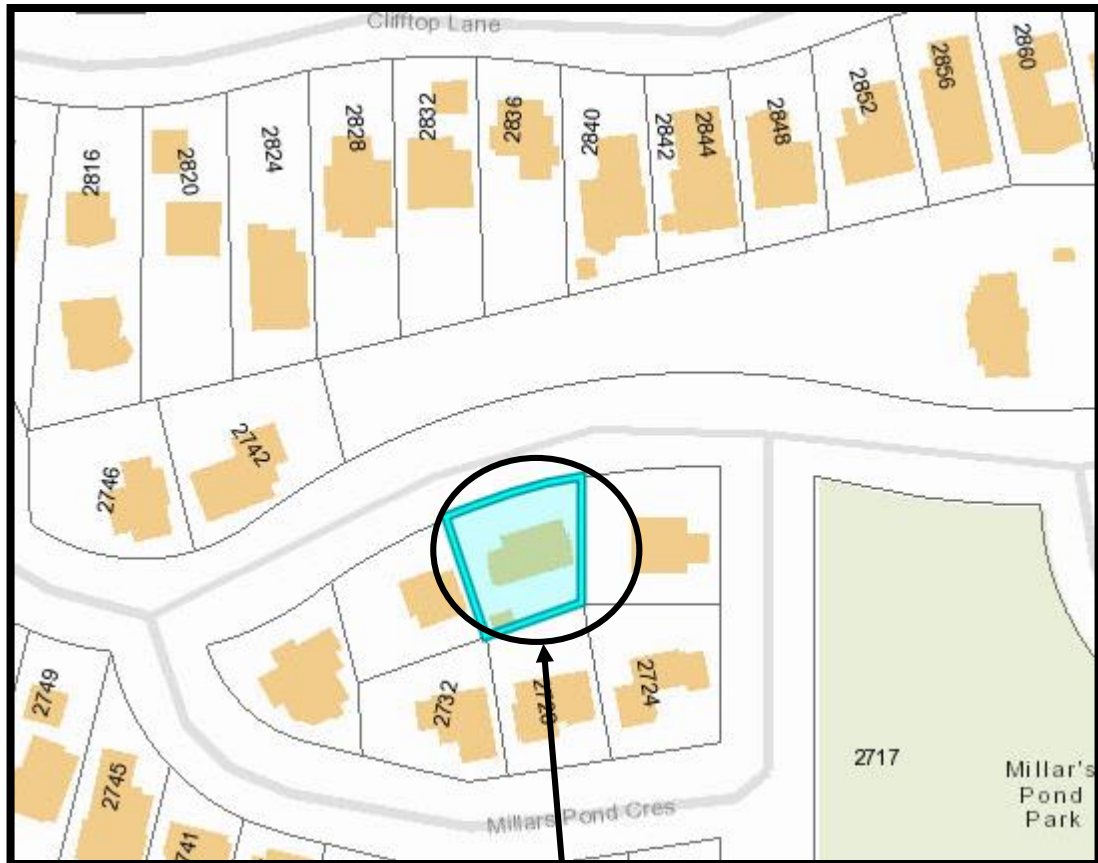
Development Variance Permit DVP1158 proposes a variance to “Zoning and Parking Bylaw 303, 2015” for the front setback for a proposed attached garage at 2733 Cheakamus Way for Council’s consideration.

Respectfully submitted,

Jessie Abraham  
PLANNING ANALYST  
for  
Jan Jansen  
GENERAL MANAGER OF RESORT EXPERIENCE

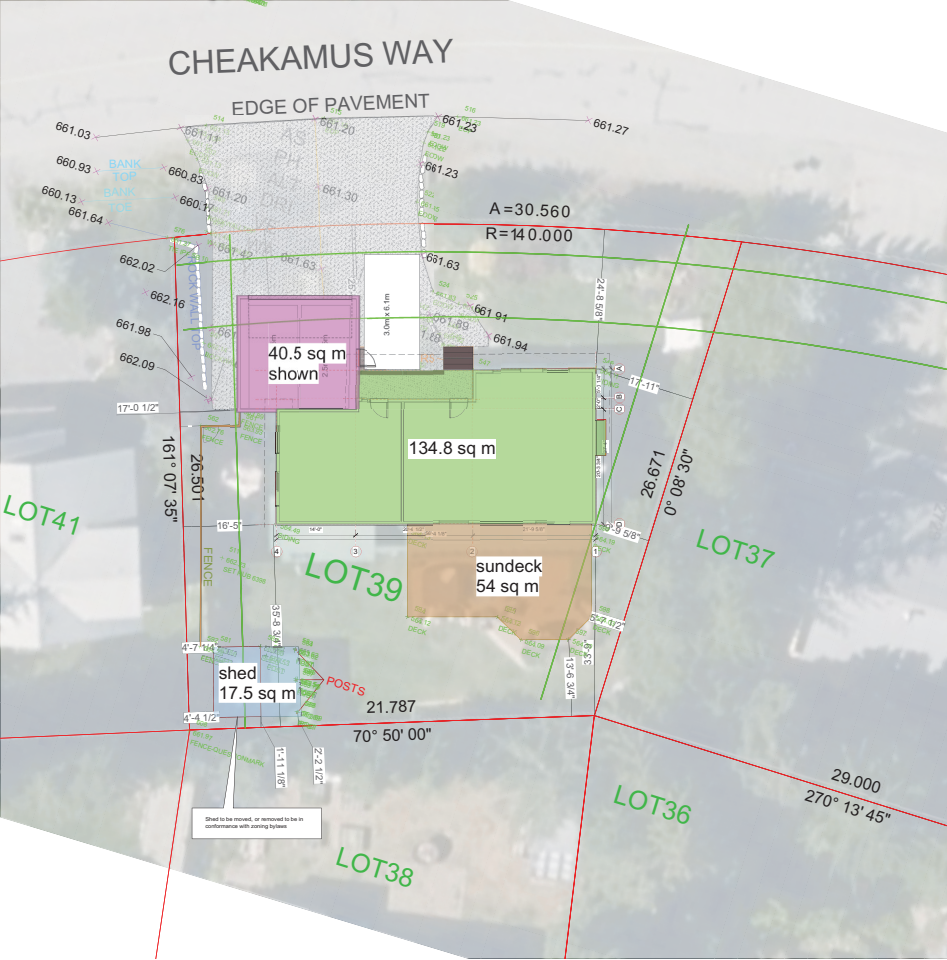


**DVP 1158 – 2733 Cheakamus Way  
Garage Addition**



**SUBJECT PROPERTY**

Zoning & BC Building Code Requirements	
Group C Occupancy	
Civic Address	
2733 Cheakamus Way, Whistler, V0N 1B2	
Legal Address	
Plan LMP 10758 Lot 39 District Lot 3556 Group 1	
PID	
018-301-312	
Whistler Zoning	
RS1	
Unsprinklered, combustible construction building with attached suite	
Designed under Part 9 of 2012 BC Building Code	
Parcel Area	
694.24 sq m	
GROSS FLOOR AREA - AS EXISTING DRAWINGS	
main floor	
residence	825
suite	426
sub total	1251 sq ft / 116.22 sq m
upper floor	
residence	716
suite	291
sub total	1007 sq ft / 93.55 sq m
GFA of existing =	2258 sq ft / 209.77 sq m
Floor Space Ratio	
ie GFA of all buildings divided by parcel area	
calculation includes house, shed / parcel garage excluded as does not form part of GFA	
297.27 / 694.24	
equals 0.327 PASS	
Max allowable = 0.35	
Site Coverage	
ie outermost walls ( ex. steps, eaves, cantilevered balconies and sun decks ) of all principle and auxiliary buildings divided by parcel area ( as a percentage )	
equals house, shed & garage / parcel sun deck excluded from calculation	
193 / 694.24 * 100	
equals 27.8% PASS	
Max allowable = 35%	



1 Site Plan  
Scale: 1/8" = 1'-0"

Skalski  
ARCHITECTURE

207-2323 MAMQUAM RD.  
SQUAMISH, BC.  
V8B 0H9

250 278 0486  
DEAN@SKALSKIARCHITECTURE.CA

ISSUES AND REVISIONS

1	Variance Submission	05th JUNE 2018

SEAL

Construction Elevations

Existing Main Floor ( estimation )

662.464m / 2173.44ft

PROJECT NAME

Gerrie Garage Addition

PROJECT ADDRESS

2733 Cheakamus Way,  
Bayshores, Whistler

DRAWING DESCRIPTION

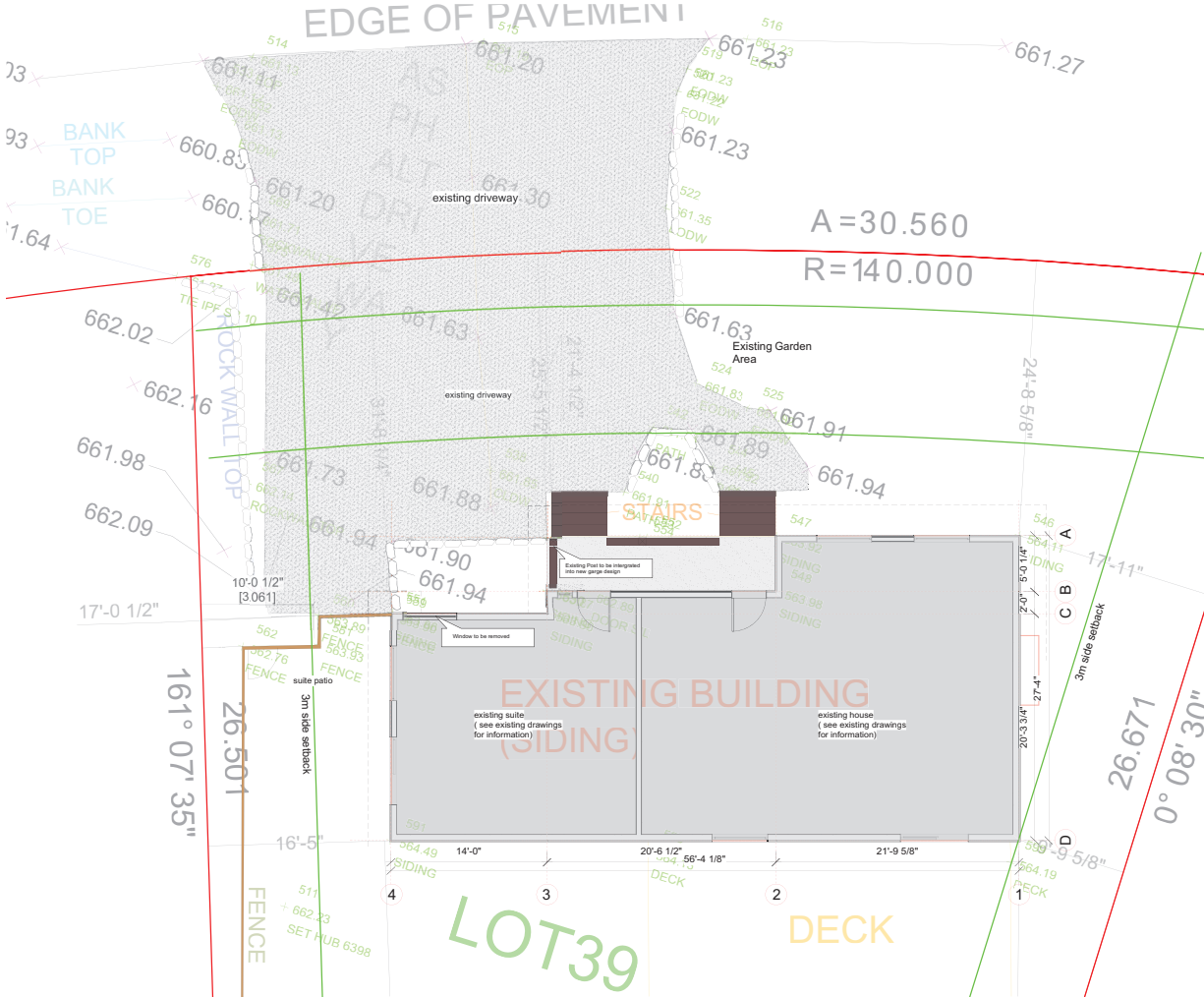
Project Information

DRAWING NO.

A-0.1

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ARCHITECTURE

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V8B 0H9

250 278 0486  
DEAN@SKALSKARCHITECTURE.CA

ISSUES AND REVISIONS		
1	Variance Submission	05th JUNE 2008

SEAL  
Construction Elevations  
Existing Main Floor ( estimation )  
662.464m / 2173.44ft



PROJECT NAME  
Gerrie Garage Addition

PROJECT ADDRESS  
2733 Cheakamus Way,  
Bayshores, Whistler

SCALE 1/4" = 1'-0" Imperial  
DRAWN DS  
PROJECT NO. 1806

DRAWING DESCRIPTION  
Existing First Floor Plan

DRAWING NO.  
A-1.1a

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1 Variance Submission 15th JUNE 2018

### Construction Elevations

Existing Main Floor ( estimation )  
662.464m / 2173.44ft

Gerrie Garage Addition

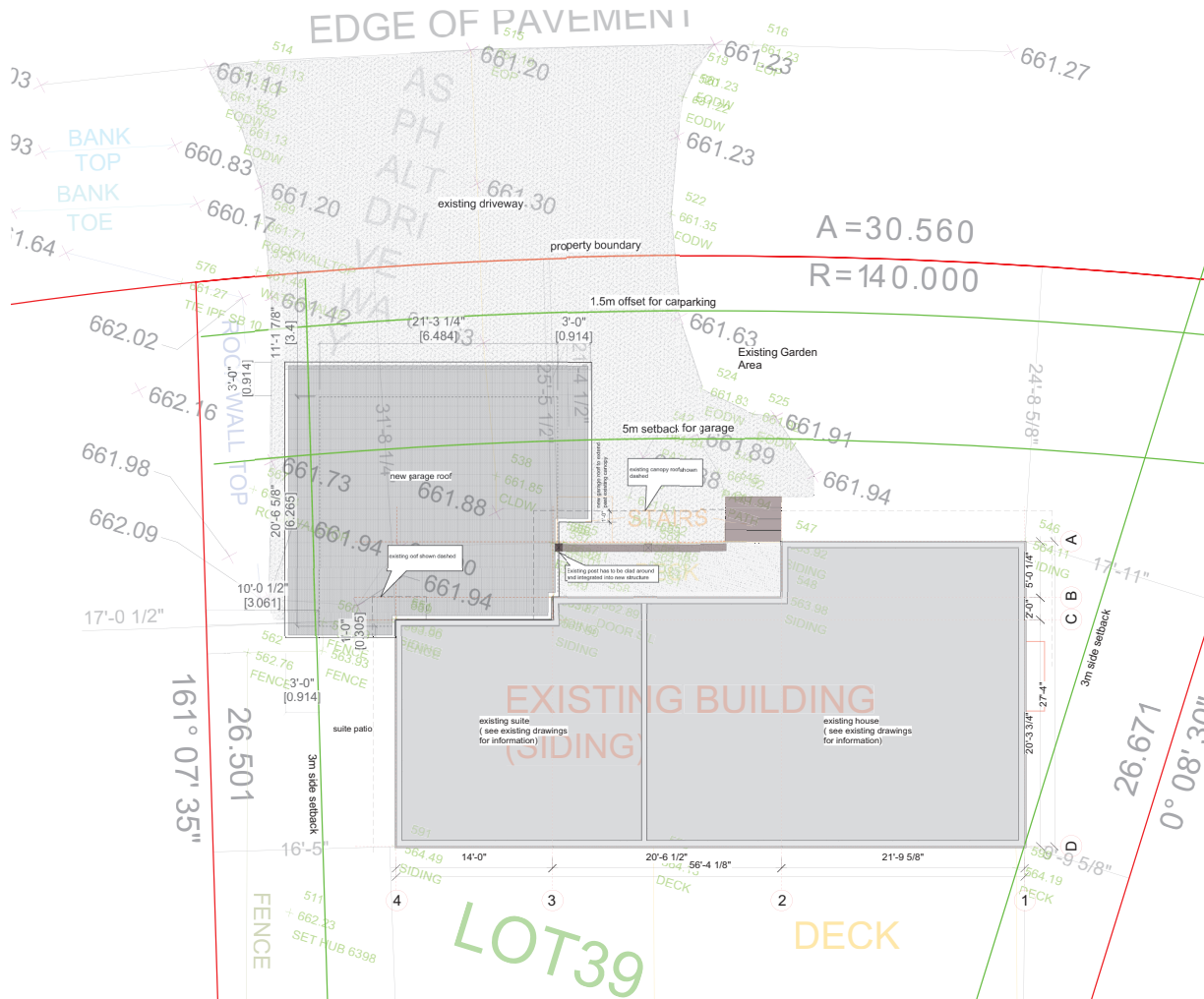
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DRAWN DS

DRAWING NO.

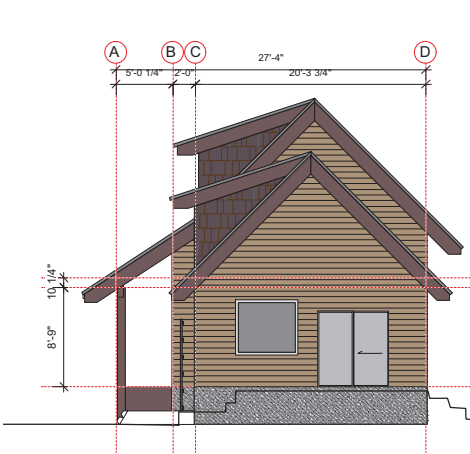
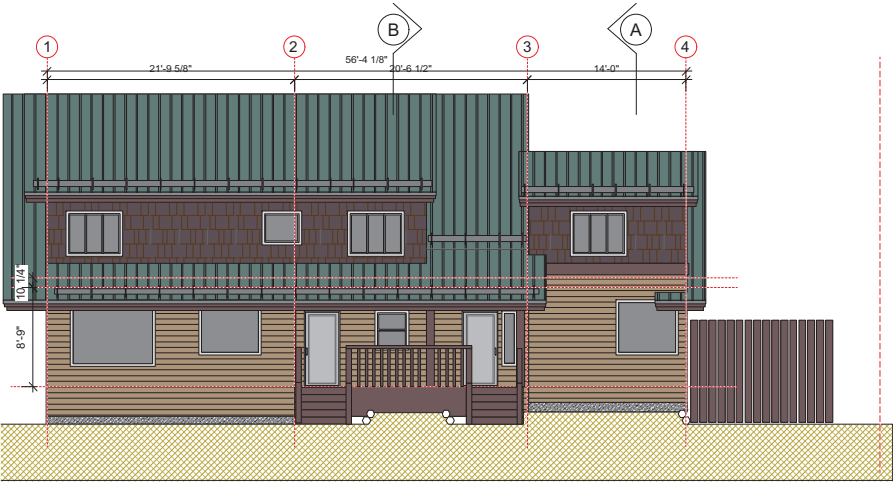
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ISSUES AND REVISIONS

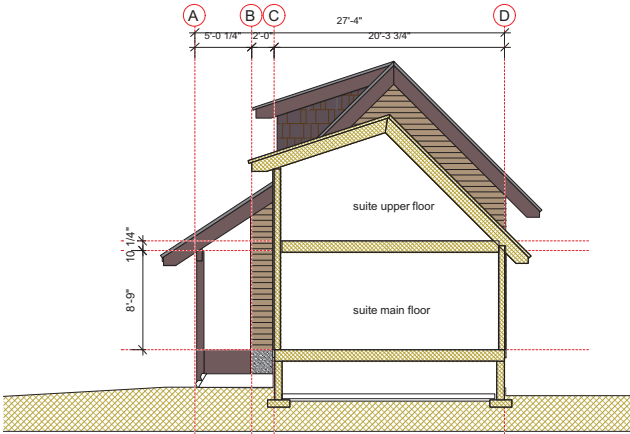
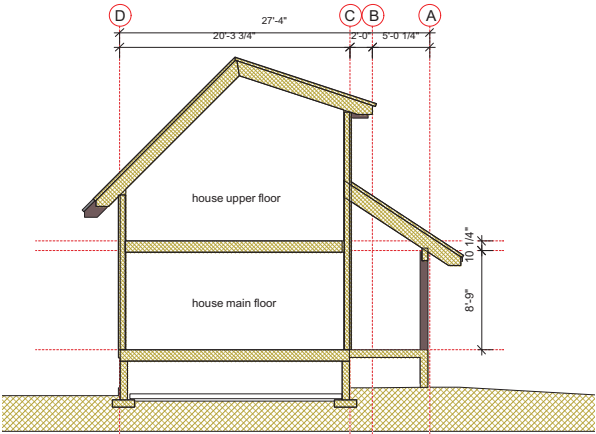
1 Variance Submission 05th JUNE 2018

SEAL

Construction Elevations

Existing Main Floor ( estimation )

662.464m / 2173.44ft



PROJECT NAME

Gerrie Garage Addition

PROJECT ADDRESS

2733 Cheakamus Way,  
Bayshores, Whistler

SCALE 1/4" = 1'-0" Imperial

DRAWN DS

PROJECT NO. 1806

DRAWING DESCRIPTION

Existing Elevation/ Sections

DRAWING NO.

A-4.1a

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V8B 0H9

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ISSUES AND REVISIONS		
1	Variance Submission	05th JUNE 2018

SEAL

Construction Elevations  
Existing Main Floor ( estimation )  
662.464m / 2173.44ft

PROJECT NAME  
Gerrie Garage Addition

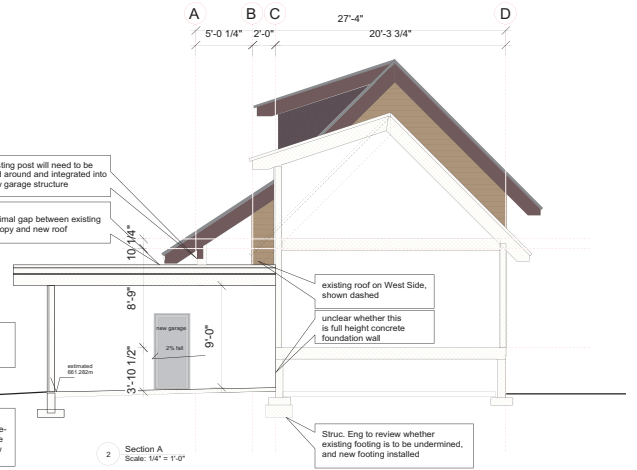
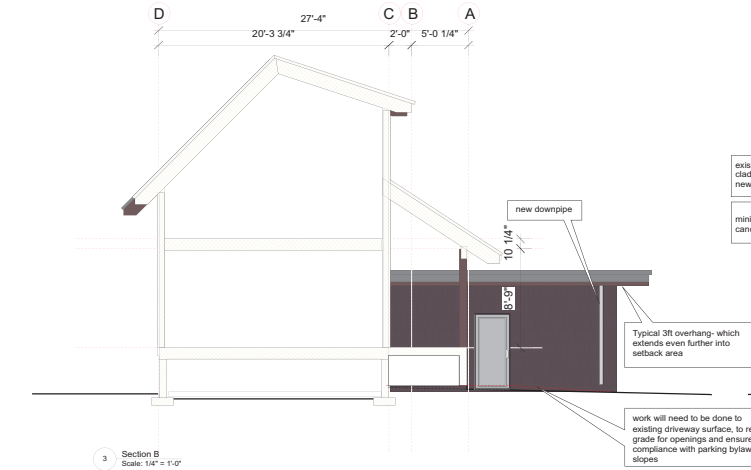
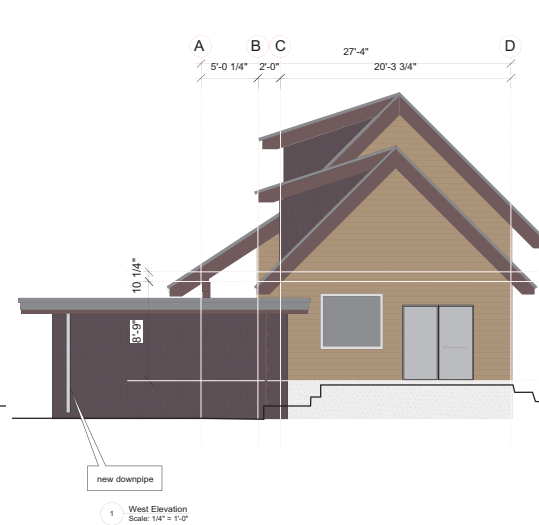
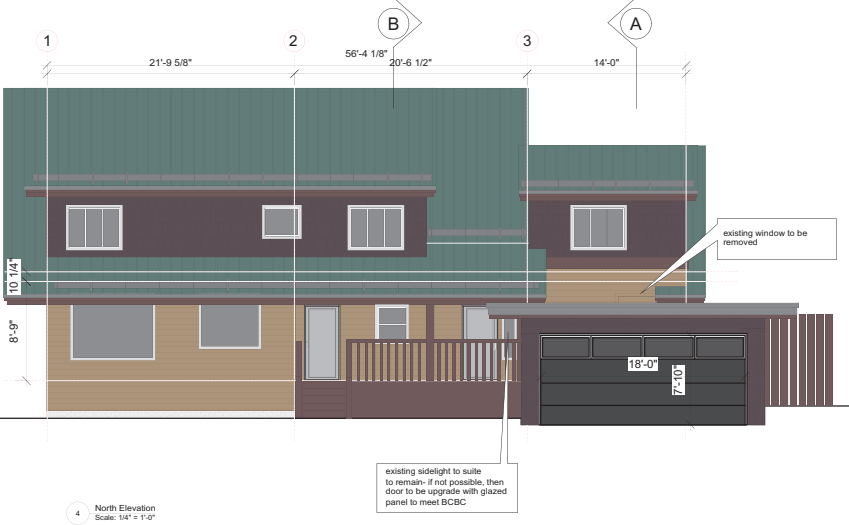
PROJECT ADDRESS  
2733 Cheakamus Way,  
Bayshores, Whistler

SCALE 1/4" = 1'-0" Imperial  
DRAWN DS  
PROJECT NO. 1806

DRAWING DESCRIPTION  
Proposed Elevations/ Sections

DRAWING NO.  
A-4.1b

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# DEVELOPMENT VARIANCE PERMIT APPLICATION WRITTEN DESCRIPTION OF THE PROPOSAL

APPENDIX C

Please see below the details supporting the request to vary the front setback from 7.6 metres to 3.4 metres to accommodate a new garage.

Owning a 4 bedroom house in Whistler is a wonderful opportunity, however owning one without a garage is frustrating. The amount of additional equipment needed to maintain the property – snow blowers, gardening equipment, ladders, tools, seasonal tires, etc in addition to cars and bikes, makes it very difficult to house everything in one place, especially through the winter months. Leaving equipment outside the front of the property, such as the snow blower, becomes unsightly and lowers the value of the neighbourhood.

The garage would also provide better screening from vehicles from the street. Not only will the garage house two vehicles, but all vehicles will be located much closer towards the house/ further from the road. The existing layout has planter beds and stairs that push cars closer to the road. The intention of the variance is to also clean this up, and create better street appeal in the neighbourhood.

Additionally, in the winter months, having to clear snow from such a large driveway becomes rather difficult to maintain, plus the snow banks often become very high and reduce visibility while backing onto the road. The garage would greatly help with both of these issues.

Therefore we'd like to build a garage at the front of the property and have chosen the only logical location, in front of the suite. In doing so, we'd be going over our required set back by a few meters, but gaining valuable space to house our equipment.

In consultation with the Whistler Muni Planning department, I have had a site survey done to discover exactly what space I have to work with, engaged an architect to design the garage according to existing constraints, bylaws and design criteria and had an engineer inspect and provide a preliminary structural drawing. Additionally, it's come to my attention that our shed at the back of the property is too close to the parcel line, so we will either move or remove the shed as part of this process, to come into compliance.

To provide further detail on the criteria to evaluate this variance permit for approval:

- 1) **Complements a particular streetscape or neighbourhood.** The proposed garage would be consistent with the form and character within this subdivision of Miller's Pond. Not only would the garage help break up the mass of the house, it would also reduce the visual impact of the vehicles and outside equipment which are consistently parking in front of the house. In addition, all properties within this particular subdivision directly off Cheakamus Way and Millers Pond Crescent have a garage, except for the subject property, 2733 Cheakamus Way, therefore increasing the overall value of the neighbourhood.
- 2) **Works with the topography on a site, reducing the need for major site preparation or earthwork.** The new garage location replaces a large proportion of the existing driveway footprint. Very little site preparation is expected, as the existing driveway gradient is suitable for access to the new garage. Existing landscape will be maintained as much as possible, however where there are interruptions such as the privacy garden screening the western neighbour, then new landscaping will be installed.
- 3) **Maintains or enhances desirable site feature, such as natural vegetation, trees and rock outcrops** - as per above. On the North-East, the small garden and natural rocks are to remain. The property to the east is screened by some small shrubs and larger trees, these may be relocated closer to the property boundary, to allow adequate clearance for the garage. The existing property has a large asphalt driveway, the footprint of the garage would dramatically reduce this asphalt driveway footprint.
- 4) **Results in superior siting with respect to light access resulting in decreased building energy requirements** - The new garage is located on the North-East of the property, therefore does not negatively impact solar gain to the house or suite during winter months. The new garage backs onto the Northern Facade of the Suite's living space, therefore creating an improved thermal buffer resulting in some minor heating efficiencies during the winter months. Additionally, the new structure has a flat roof removing issues associated with snow dumping on the front facade, ensuring the garage can be easily accessed.



- 5) **Results in superior siting with respect to privacy** - The garage provides a more formal access for tenants to access via their patio off the Western side of the house, along with reducing snow shed maintenance in the winter, which previously impacted privacy of tenants when in the living area of their suite.
- 6) **Enhances views from neighbouring buildings and sites** - The form and character of the new structure helps break up the mass of the existing house and is now more similar to the scale of existing houses in the neighbourhood.

And to address potential negative impacts:

- 1) **Is inconsistent with neighbourhood character**; the form and character of the proposed garage is in line with the existing house and that of those in the neighbourhood.
- 2) **Increases the appearance of building bulk from the street or surrounding neighbourhood**; - the introduction of the garage helps break up the mass of the house and is subtle that it doesn't increase any bulk.
- 3) **Requires extensive site preparation** – although small groundworks would be necessary for structural requirements, no extensive site preparation is required.
- 4) **Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, views)** - The garage is located on the North-west so does not significantly affect light to adjacent properties. The garage will actually improve privacy to your western neighbour, as cars are accessed from inside the garage or on the eastern side.
- 5) **Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul de sac** – No variance for GFA required.
- 6) **Requires a height variance to facilitate gross floor area exclusion** – not applicable.
- 7) **Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations)**. The flat roof will actually reduce maintenance and snow clearing in the winter time.

Here are the details of the professionals engaged to date to get to this stage, should you need anything verified or clarified:

<b>Architect</b>	<b>Structural Engineer</b>	<b>Site Survey</b>
Dean Skalski, Architect AIBC, Skalski Architecture 207-2323 Mamquam Rd, Squamish, BC, V8B 0H9	Ben Towsey P.Eng., BE(Civil), MEngSci, Principal Twin Peaks Engineering 101-1080 Millar Creek Road, Whistler, BC V0N 1B1	Doug Bush, ASCT, RSIS Applied Science Technologist Doug Bush Survey Services Ltd Unit 18, 1370 Alpha Lake Road Whistler, BC V0N 1B1
Cell: (250) 278 0486	Cell: (604) 967-1701	(604) 932 3314

Thank you for your consideration of our application.

Sincerely

Natalie Kingi





## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** September 4, 2018  
**FROM:** Resort Experience  
**SUBJECT:** DP1631 – 4204 VILLAGE SQUARE – BLACKCOMB PROFESSIONAL BUILDING – EXTERIOR RENOVATIONS AND NEW ROOF

**REPORT:** 18-109  
**FILE:** DP1631

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION

**That** Council approve the issuance of Development Permit DP1631 for the proposed Blackcomb Professional Building exterior renovation and new roof project at 4204 Village Square as illustrated on plans A-01, A-02, A-07, A-08, A-09, A-10, A-11, A-13 and A-14 dated July 10, 2018 prepared by Richard Henry Architect Inc. and attached as Appendix B to Administrative Report No. 18-109, subject to resolution of the detailed items specified in the letter attached as Appendix E to Administrative Report to Council No. 18-109 to the satisfaction to the General Manager of Resort Experience.

### REFERENCES

**Location:** 4204 Village Square  
**Legal Description:** Common Property Strata Plan VR1352, D.L. 1902  
**Applicant:** DBBD Projects (4204 Village Square) Ltd.  
**Zoning:** CC1 Zone (Commercial Core One)  
**Appendices:**  
“A” Location Map  
“B” Plans  
“C” Advisory Design Panel minutes July 25, 2018  
“D” Applicants’ Green Build letter  
“E” Letter to Applicant

### PURPOSE OF REPORT

This report seeks Council’s approval of the issuance of Development Permit DP1631, an application for a major rejuvenation of the Blackcomb Professional Building including building envelope renewal and roof replacement, to upgrade the appearance and durability of the mixed use building at 4204 Village Square.

The proposed development is subject to development permit guidelines for form and character, protection of the development from hazardous conditions and protection of the natural environment.

This development permit is subject to Council approval as the proposal involves the alteration of more than one elevation of a building within the Whistler Village Development Permit Area.

## **DISCUSSION**

### **Background**

The Blackcomb Professional Building is prominently located at 4204 Village Square in Whistler Village with building frontages facing Village Square, the pedestrian breezeway entrance into Whistler Village, and Gateway Drive, the latter which contains the newly developed vehicle transportation/arrival hub to Whistler Village (see Appendix A).

The building is a three-floor building over a partial below grade level for the delivery area and two commercial units facing Gateway Drive. Commercial and retail uses are on the main floor with their entrances facing Village Square, offices are on the second floor and three residential units are on the third floor. The site is level and fully developed with almost no area for landscaping. The majority of the existing trees next to the building are not located on the subject property but within municipal rights of way adjacent to the building.

The existing building was constructed 38 years ago with no significant upgrades to the exterior. Redevelopment of this property is consistent with the Whistler Village Rejuvenation & Reinvestment Initiative endorsed by Council in July 2014. The objectives of that initiative were to:

- I. accelerate re-investment in existing infrastructure within Whistler Village;
- II. support reinvestment in upgrades to aging buildings and landscape, especially at key access portals, or in main thoroughfares/high visitor traffic areas of Whistler Village; and,
- III. further any other municipal revitalization goals for Whistler Village.

### **Proposed Development**

The main purpose for this proposal is for a comprehensive and extensive renovation for exterior siding and roofing of the building and to improve the exterior aesthetics of the 38 year old building. The following describes the proposed development:

- Replacement of cedar shake roof with a dark charcoal standing seam metal roof with new gutters and face trim in metal.
- Removal of the chimneys for wood burning stoves currently centered within the large window dormers on the top floor.
- Replacement of red cedar board siding with cementitious shingle siding on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, in a Woodstock Brown colour.
- New aluminum frames and triple pane windows on 2<sup>nd</sup> and 3<sup>rd</sup> floors similar in color to the new roof with painted fir trim added around the windows, in cinnamon fir colour.
- Repaint the red cedar soffit areas a light birchwood colour to provide a contrast with the new Woodstock Brown shingle siding and charcoal tones for the window frames and roofing.
- Repaint and renovate the exterior wall on the lowest level to match the charcoal colour to compliment the proposed renovations, colors and materials being used for the renovations on the upper floors.
- Retain the large area of existing Squamish stone in the loading area as an accent feature

- Enclose the existing concrete cylindrical columns supporting the 2<sup>nd</sup> floor with stone granite to create columns similar to recently installed stone works for walls and planters as part of the Gateway Loop project.

The proposed renovations of the Blackcomb Professional Building are illustrated on the plans provided in Appendix B. The applicant has indicated the construction will take place in the fall of 2018.

Staff and the applicant have discussed the resolution of a number of minor design items with respect to stone finishes, the width of the proposed stone columns to improve light and access to the covered arcade, roof drainage troughs and pipes, screening of mechanical installations, exterior lighting details and a window treatment to reduce the amount of light spillage from the second floor office windows facing Village Square. Further detailing of the described items are requested to be addressed to the satisfaction of the General Manager of Resort Experience as a condition of development permit issuance per Appendix E.

### Advisory Design Panel Review

The proposal was reviewed by the Advisory Design Panel on July 25, 2018. At the meeting the Panel supported the project with the following motion:

**That** the Advisory Design Panel supports the project as presented with the comments as presented for consideration and are very pleased to see the project move forward.

The draft minutes of the July 2018 ADP meeting are attached as Appendix C for reference.

The applicant took into consideration suggestions by the Panel and modified the treatment of the wood elements at higher elevations to reduce maintenance concerns and revised the soffit areas colouring with a lighter birchwood tone to create a vibrant element to the color scheme while still complementing the new shingle siding and roofing elements.

### WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies for Built Environment and Visitor Experience as outlined in the following table

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character and evoking a dynamic sense of place.	The design of the exterior upgrades to the Blackcomb Professional Building utilize durable materials that meet the Whistler Village Design Guidelines and is consistent with the colours and materials used in other buildings in the village.
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses.	
Visitor Experience	The resort is comfortable, functional, safe, clean and well-maintained.	

DP1631 – 4204 Village Square – Blackcomb Professional Building – exterior renovations and new roof do not move our community away from any of the adopted Whistler2020 Descriptions of Success.

## OTHER POLICY CONSIDERATIONS

### Zoning Analysis

The property is zoned CC1 (Commercial Core One). The proposed external finishing renovations do not affect any of the regulations of the Zoning Bylaw. No variances are requested for the proposed renovations.

### OCP Development Permit Area Guidelines

The property is subject to the Whistler Village development permit area (DPA No. 1) guidelines for the protection of development from hazardous conditions, protection of the natural environment and form and character guidelines for commercial development.

The table below describes how the proposed development is consistent with the applicable guidelines.

OCP Guideline	Comment
Building design shall contribute to the image of a cohesive village, while expressing individuality through consistent elements being used in all buildings (i.e. scale, form, materials and landscaping)	The proposed combination of composite shingle siding, wood trims, stone at the ground level, and the metal roof are consistent with other village exterior treatments.
Proposed development that modifies the form and existing building envelope shall adhere to the Whistler Village Protection Guidelines and the Whistler Village Solar Access Protection Guidelines	The proposed exterior renovations adhere to these guidelines.
Roof design must establish effective snow management and have a sloped appearance. Whistler's extreme freeze/thaw cycle and frequent large accumulations of snow are to be considered in design and material selection. All pedestrian and vehicle access points must be protected from snow shed and ice accumulation.	The applicant has provided a snow shed report prepared by a professional engineer that addresses snow and ice management consistent with the requirements of Council Snow Shed Policy G-16.
Building materials must be sufficiently durable to withstand Whistler's harsh climate. Materials including stone, wood, acrylic stucco and treated/texture concrete are appropriate. Building colours shall be in accordance with the guidelines contained within the Whistler Village Colour Guide. In general, muted color tones taken from the natural environment and are complementary to neighbouring buildings.	The building materials are proven durable materials to withstand Whistler's harsh climate. The proposed colors are muted earth and gray tones that are consistent with the Whistler Village Colour Guide.
Development, including alterations that will inconvenience or jeopardize the use of public areas in the Village by creating construction noise or the placement of construction materials or barriers in public areas shall not be carried out between July 1 <sup>st</sup> of any year and September 3 <sup>rd</sup> of the same year, or as specified in the Development Permit.	Redevelopment is proposed to take place this fall (2018). On the north side of the property is the Gateway Loop bus and taxi stand and access route for deliveries for many properties. On the south side the property is Village Square with pedestrian access to several businesses and accommodation buildings as well as programed use of the plaza for events. A construction management strategy plan will be required to minimize the impact on traffic and delivery movements on the road, pedestrian access through the plaza and programed use of the plaza.

### **Green Building Policy**

Review of the green building description submitted for the project indicates the applicable RMOW's Green Building Policy's six broad objectives are accounted for in the proposed exterior renovations and roof replacement. This letter is attached to Council's report as Appendix D.

### **BUDGET CONSIDERATIONS**

Direct costs of processing and reviewing this application have been covered through the development permit application fees.

### **COMMUNITY ENGAGEMENT AND CONSULTATION**

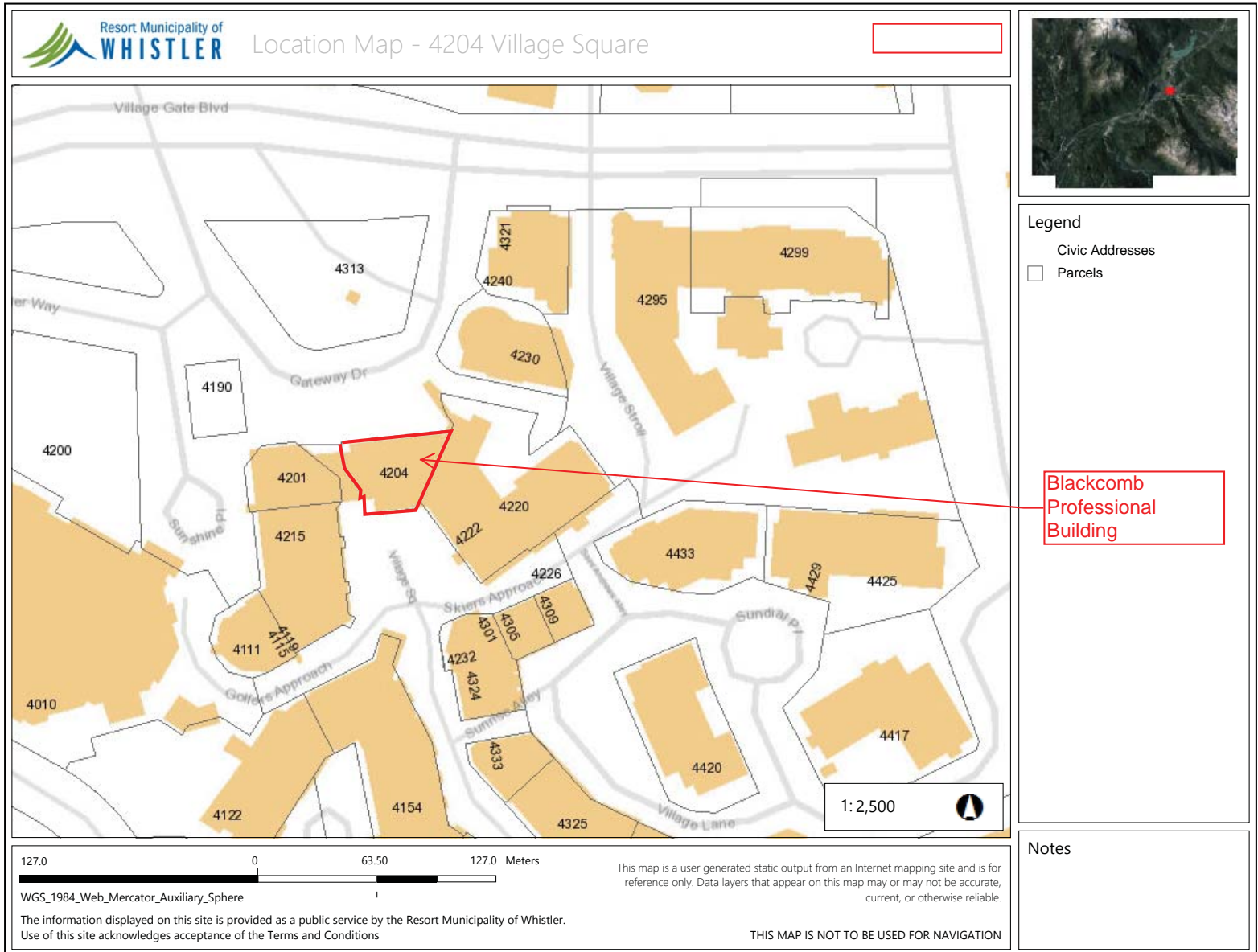
An information sign has been posted on the property per Development Permit application requirements.

### **SUMMARY**

This report seeks Council's approval of the issuance of Development Permit DP1631, an application for building envelope renewal and roof replacement at 4204 Village Square, subject to the resolution of some detailed items as specified in this report.

Respectfully submitted,


Robert Brennan, MCIP RPP  
PLANNER  
for  
Jan Jansen  
GENERAL MANAGER of RESORT EXPERIENCE





Development Permit  
submission - DP 1631

4204 Village Square  
Blackcomb Professional  
Building



Richard Henry  
Architect Inc.  
www.richardhenryarchitect.com  
78.666.0729



DAYHU  
DAYHU ARCHITECTURE

Revision	Date
Re-submitted for DP	July 10/18



Richard Henry  
Architect Inc.  
www.richardhenryarchitect.com  
78.666.0729

4204 Village Square  
Whistler, BC

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Sheet Title

Conceptual Elevations

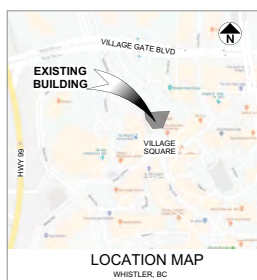
Sheet No.	Sheet Title
A-01	Conceptual Elevations





**DAYHU**  
ARCHITECT INC.

Revised	Description	Date
	Re-issued for DPA	July 10/18



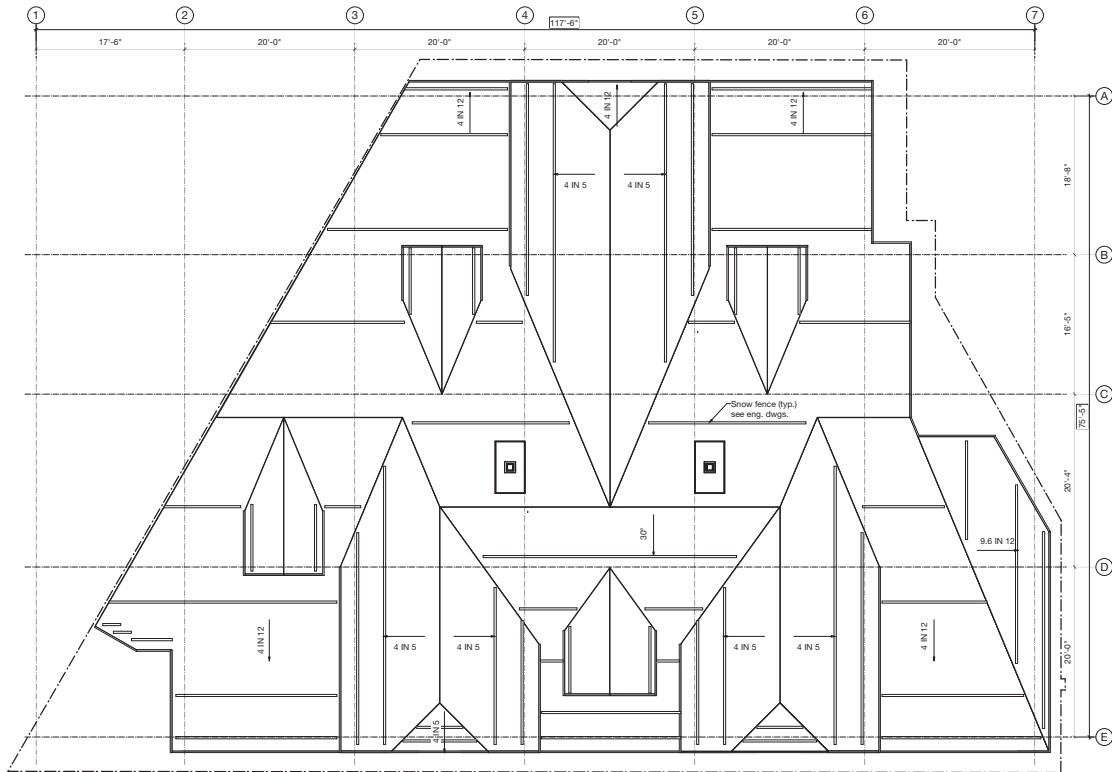
**4204 Village Square  
Whistler, BC**

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Site Plan		
Job No.	21803	Sheet No.
Scale	1/32" = 1'-0"	
Client	DAYHU	
Designer	DAYHU	
Drawn	DAYHU	
Check	DAYHU	
Approved	DAYHU	

**A-02**

THESE DRAWINGS HAVE BEEN COMPILED FROM ARCHIVED DRAWINGS. WHILE CI DESIGN & GRAPHICS SERVICES HAS MADE EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE DRAWINGS, ACTUAL SITE CONDITIONS MAY VARY. IT IS THE RESPONSIBILITY OF OWNERS TO VERIFY SITE CONDITIONS PRIOR TO COMMENCING WORK. IF CONSULTING OR CONSTRUCTION, THESE DRAWINGS ARE INTENDED FOR ARCHITECTURAL USE ONLY AND CI DESIGN & GRAPHICS SERVICES DOES NOT TAKE RESPONSIBILITY FOR SUPPLEMENTARY DESIGN THAT RESULTS FROM THEIR USE.



Original Scale 3/16" = 1'-0"



Revision	Description	Date
1	Re-issued for DPA	July 10/18



4204 Village Square  
Whistler, BC

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Sheet Title	Roof Plan
Scale	3/16" = 1'-0"
Author	CI
Checker	CI
Drawn	CI
Plot Date	2018-07-10
Plot Time	10:00 AM
Plot User	ci
Plot Device	HPGL
Plot Size	11x17
Plot Orientation	Portrait
Plot Scale	3/16" = 1'-0"
Plot Title	Roof Plan
Plot Date	2018-07-10
Plot Time	10:00 AM
Plot User	ci
Plot Device	HPGL
Plot Size	11x17
Plot Orientation	Portrait
Plot Scale	3/16" = 1'-0"
Plot Title	Roof Plan

A-07

Revised	Description	Date
1	Re-issued for DPA	July 10/18

- Metal roofing: (A) Cascadia metal standing seam - Charcoal  
 Gutters and face trim at top of fascias to match.  
 Shingle siding: (B) James Hardie shingle - Woodstock Brown  
 Metal windows: (C) Starline, Akzo Nobel Interpon powder coat - Graphite Grey, clear triple glazed w/ low E coating (one surface)  
 Exposed wood: (D) Guards, fascias, beam elements between columns timber beams with Sikkers clear 2 component stain and coating system.  
 Wood screens: (E) Fir with metal support system, Sikkers 2 component as well. Alternate Longboard Fir Finish  
 Paint colour for lower 2 floors: (F) Benjamin Moore HC 166 - Kendall Charcoal



4204 Village Square  
 Whistler, BC

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Sheet Title  
 Elevation - North

Job No.	Sheet No.
4204	A-08
Client	DAYHU
Architect	RICHARD HENRY ARCHITECT INC.
Engineer	DAYHU
Checker	DAYHU
Printer	DAYHU



DAYHU  
ARCHITECTURE

No.	Description	Date
1	Re-issued for DPA	July 10/18

- Metal roofing: (A) Cascadia metal standing seam - Charcoal  
Gutters and face trim at top of fascias to match.
- Shingle siding: (B) James Hardie shingle - Woodstock Brown
- Metal windows: (C) Starline, Akzo Nobel Interpon powder coat - Graphite Grey, clear triple glazed w/ low E coating (one surface)
- Exposed wood: (D) Guards, fascias, beam elements between columns timber beams with Sikens clear 2 component stain and coating system.
- Wood screens: (E) Fir with metal support system, Sikens 2 component as well. Alternate Longboard Fir Finish
- Paint colour for lower 2 floors: (F) Benjamin Moore HC 166 - Kendall Charcoal



4204 Village Square  
Whistler, BC

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Sheet Title  
Elevation - South

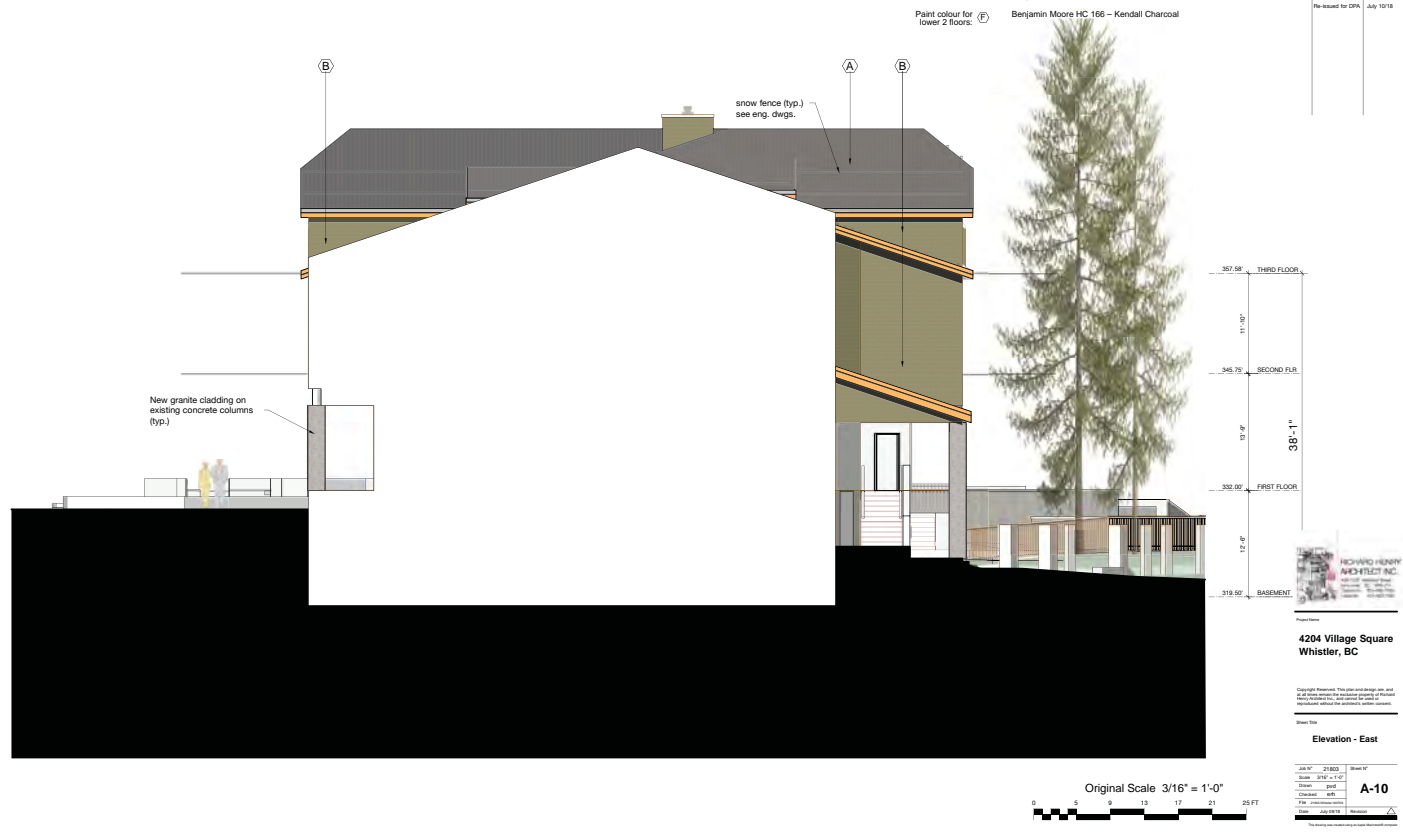
Job No.	21003	Sheet No.	A-09
Scale	1/8" = 1'-0"	Drawn	gms
Checked	gms	File	21003-09.dwg
Date	July 10/18	Revised	

Architectural drawing showing the south elevation of a building. The drawing includes a scale bar (0 to 25 feet) and a north arrow pointing towards the top right. The building features a gabled roof with multiple dormers, a large central window, and a covered entrance area. The elevation is labeled 'Elevation - South'.



Revised	By	Description	Date
		Re-issued for DPA	July 10/18

- Metal roofing: (A) Cascadia metal standing seam - Charcoal  
Gutters and face trim at top of fascias to match.
- Shingle siding: (B) James Hardie shingle - Woodstock Brown
- Metal windows: (C) Starline, Akzo Nobel Interpon powder coat - Graphite Grey, clear triple glazed w/ low E coating (one surface)
- Exposed wood: (D) Guards, fascias, beam elements between columns timber beams with Sikens clear 2 component stain and coating system.
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- Paint colour for lower 2 floors: (F) Benjamin Moore HC 166 - Kendall Charcoal



4204 Village Square  
 Whistler, BC

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Rev	Description	Date
1	Original	July 10/18



Revisions		
No.	Description	Date
1	Re-issued for DPA	July 10/18

- Metal roofing: (A) Cascadia metal standing seam - Charcoal  
Gutters and face trim at top of fascias to match.
- Shingle siding: (B) James Hardie shingle - Woodstock Brown
- Metal windows: (C) Starline, Akzo Nobel Interpon powder coat - Graphite Grey, clear triple glazed w/ low E coating (one surface)
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4204 Village Square  
Whistler, BC

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Elevation - West			
Job No.	21003	Sheet No.	A-11
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Checked	gms	File	21003-011.dwg
Client	4204 Village Square	Revised	



VIEW FROM GATEWAY DRIVE - 1



VIEW FROM GATEWAY DRIVE - 2



VIEW OF COVERED WALKWAY ENTRANCE - NORTH



RAISED PATIO ON NORTH SIDE



COVERED WALKWAY LOOKING SOUTH



VIEW OF SOUTH ELEVATION FROM PLAZA

Revision	Date
Re-issued for DPA	July 10/18

Sheet Title	
<div>Existing Photos</div>	
Job N°	21803
Scale	N/T/S
Drawn	gusd
Checked	gffh
File	21803-photos-0010
Date	July 09/18
Revision	<div></div>

METAL STANDING SEAM ROOF



WINDOW MULLIONS



STONE BASE ELEMENTS



ROUGH SAWN TRIM



SHINGLE SIDING



PAINTED LOWER WALLS



RECLAIMED BEAM ELEMENTS



Revised	Revised by	Date
Revised for DPA		July 10/18



At the last Council meeting, Council adopted an amendment to the building and plumbing bylaw to enable BC Energy Step Code in Whistler. Staff recommended that the RMOW move to step code three in January of 2019 for all part nine buildings.

Council amended a bylaw to allow for the home cultivation of cannabis. On June 25<sup>th</sup> the RMOW held an OCP open house. Staff is now processing the information from that open house and will hopefully have the updated OCP and vision statement before Council soon.

## PRESENTATIONS/DELEGATIONS

*The applicant team of Gary McKay DAYU Group of Companies, Andrew Terrett of ATA Architecture Design Ltd., Calum Srigley of Richard Henry Architect entered the meeting at 3:15 p.m.*

File No. DP1631  
4204 Village Square  
3:15 – 4:15 p.m.

Melisa Laidlaw, RMOW, introduced the project. The proposal is a significant refurbishment of the Blackcomb professional building. The building has not seen much in the way of improvement since it was first built. The building has a very prominent location in Whistler Village - the building fronts Village Square, is adjacent to the Village Breezeway which is considered the main pedestrian entrance into Whistler Village, and also fronts on to the new Gateway Drive which makes it even more visually prominent.

The scope of work includes a roof replacement, recladding on the upper two stories of the building, new windows and window trim, and cladding of the column that supports the covered arcade.

Calum Srigley advised on the following:

1. Built in 1979, this will always a prominent building because of its location. It is now up for refurbishment.
2. The general massing of the building is good, the articulation of the roof is appropriate.
3. The building should be more vibrant and more memorable without changing the function of the building.
4. Deficiencies exists with water ingress problems, the exposed building envelope needs to be brought up to date, the current building colour and quality is not in keeping with what we see applied on neighbour buildings. The slender columns that support the upper two floors appear weak. The cedar shake roofing is no longer part of the principle materiality it once was. There is a shift to metal roofing.
5. We are replacing the roof with dark charcoal metal roof with snow fencing details for snow dumping. The cladding will be changed to hardi shingle which will give the building more warmth, be of a higher quality and visually appealing over time. The windows will be replaced with high-tech thermally broken aluminum windows with full trim and stained with Sikkens stain.

6. The building currently reads as monolithic expression because of the one colour, and is not in keeping with the neighbours in sense of scale. The proposed colour pallet is not dissimilar to that of the Four Seasons Hotel.
7. The side of the building facing the bus loops will have some additional detailing to screen the loading activities in anticipation of this building perhaps becoming a more vibrant entry building.

### **Site Context and Landscaping**

1. Panel strongly supports the improvements to this building particularly because of its close proximity to the Gateway Drive.

### **Form and Character**

2. Panel cautioned the applicant to pay attention to the size of the columns as they may become a hindrance to access and visibility and darken the covered arcade.

### **Materials, Colours and Details**

3. Some concern from panel over the choice of colours. Consider exploring a more vibrant colour pallet because the building is in such a prominent location.
4. Panel supported the use of Sikkens™ stain on the beam at pedestrian level, but cautioned the use of Sikkens™ on the wood elements higher up on the building would be a maintenance concern.
5. Panel in support of the choice of building materials.
6. Panel suggests hanging signs so as not to distract from the new architectural elements.
7. Panel advised to consider the detailing of exterior vents, mechanical equipment and lighting.

Moved by Pat Wotherspoon  
Seconded by Ben Smith

**That** the Advisory Design move that the panel support the application with the comments that have already been articulated and we are very pleased to see the project move forward.

CARRIED

*The applicant team left the meeting at 3:55 p.m.*

# WHISTLER GREEN BUILDING POLICY

## 2. OBJECTIVES

This policy establishes six broad objectives for the design, construction and operation of buildings and their sites in Whistler.

### 2.1 Site / Landscape

Minimize disturbance to soils, vegetation and hydrology through careful location, design, construction practices and site rehabilitation.

- The proposal does not anticipate any revisions to the site or landscape.

### 2.2 Energy

Decrease energy requirements and associated greenhouse gas emissions; lower the share of energy supplied by non-renewable sources. Target net zero energy consumption.

- The windows being replaced as part of the renovation work (ie upper 2 floors) are proposed to be triple paned with an overall u-value of 1.5 which is substantially higher than the current original aluminum windows.
- Installing operable awning and tilt & turn windows will provide thermal comfort for occupants and reduce the demand of mechanical ventilation.
- The wall cladding rain screen system will incorporate a Tyvek Air and Water barrier which along with the rod and caulk around the new windows, will reduce energy loss due to drafts.

### 2.3 Water

Reduce the total volume of water used for buildings and associated landscaping; lower the share of water needs met through the municipal potable system.

- No revisions are being undertaken to plumbing as part of this DPA.

### 2.4 Materials

Use less new material through efficient design and engineering, and material reuse; increase the application of renewable, recycled and locally-sourced materials.

- The principal cladding material is a reinforced cementitious prefinished (ColorPlus) Hardie Shingle Siding that has a 30 year non prorated warranty (with a much longer service life) and will reduce the maintenance requirements and the impacts resulting from extraction and processing of virgin materials. The Hardie Shingle Siding will be installed over a rain screen system designed and the install monitored by Morrison Hershfield (envelope consultant) which will ensure a much enhanced moisture barrier performance (and greater envelope service life) over

- the existing 1x6 painted cedar siding.
- Similarly, the proposed standing metal roofing will outlast the existing cedar roofing by a factor of more than two to one and carries a 40 year warranty on the paint finish.
- To encourage environmentally preferred products all wood trim and stone products for this project will be locally sourced (extracted, processed and manufactured).

## 2.5 Waste

Lower the total volume of waste sent to landfills during construction and occupancy; work toward the community's goal of generating no landfill waste.

- Construction waste will be kept as a minimum for this project to lessen the impact of area landfills. This will be done by efficient material ordering and providing construction materials waste bins.
- Every member of the on-site construction team will play an important role in contributing to disposing their waste responsibly.

## 2.6 Indoor Environment

Minimize chemical emissions from materials used in buildings; provide excellent ventilation and air exchange equipment.

- Recladding and reroofing the building and replacing the upper level windows with the proposed building components will reduce the risk and effects of water infiltration and subsequent mold growth which will improve the performance to enhance indoor air quality in the building, thus contributing to the comfort and well-being of the occupants.
- Installing highly efficient window systems will lead to less water infiltration issues vs. the current sliding window configuration. In addition, the predominant use of tilt & turn windows provide greater access to fresh air into the building in order to maintain good indoor air quality and keep occupants comfortable and healthy

This preliminary design review was conducted by Maki Muramatsu, Sustainability Consultant from Green Mura Products + Consulting Ltd., July 8, 2018. If there are questions or comments regarding the above noted sustainability strategies feel free to contact us at 604-812-7418 or [maki@greenmura.ca](mailto:maki@greenmura.ca).

Yours truly,



Maki Muramatsu, LEED AP Homes  
Green Mura Products + Consulting Ltd.





**THE RESORT MUNICIPALITY OF WHISTLER**

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Whistler, BC Canada V0N 1B4  
[www.whistler.ca](http://www.whistler.ca)

TEL 604 932 5535  
TF 1 866 932 5535  
FAX 604 935 8109

**Appendix E**

Garry McKay  
DAYHU Group of Companies  
Suite 400 – 1788 W. 5<sup>th</sup> Ave  
VANCOUVER BC V6J 1P2  
Email: [gmckay@daycap.ca](mailto:gmckay@daycap.ca)

August 27, 2018

**RE: DP001631 – 4204 Village Square – Blackcomb Professional Building**

The following provides a list of outstanding items to be provided and reviewed to the satisfaction of the General Manager of Resort Experience as a condition of development permit issuance.

1. Submit an elevation drawing to illustrate the north facing lower elevation, detailing all proposed colour and material choices for the façade and railing for review and approval.
2. Submit revised drawings to illustrate:
  - a. Maximum 30" wide stone columns on the north and south elevations.
  - b. Locations where existing stone to be retained and new stone to be installed.
  - c. New water drainage systems details at the roof level (eaves), at ground level and the colors and materials to be used for the new pipes.
  - d. Screening details for roof top mechanical and piping for existing installations on the south and west elevations and any proposed installations.
  - e. Detail examples for all proposed exterior light fixtures including lighting for signage.
  - f. Include a note on the drawings that all conduits for lighting to be concealed behind façade.
  - g. Detail the window treatment element (i.e. tinting, interior blinds) to reduce the light spillage from the second floor office windows onto the Village Square.
  - h. Revise the colour and materials key to include the new colours for the upper wood trim elements.
3. Adhere to the Whistler Village Construction Management Strategy including provision of a construction site management, pre-construction meeting, good neighbor agreement and construction sign posted during construction.

Regards,

Robert Brennan  
Planner



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** September 4, 2018

**REPORT:** 18-111

**FROM:** Resort Operations

**FILE:** 2400887

**SUBJECT:** FORESHORE APPLICATION

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION

**That** Council approve the submission of a foreshore application for an extension to the existing foreshore license at Lakeside Park on Alta Lake; and

**That** Council approve the submission of a new foreshore application at Summer Lane on Green Lake.

### REFERENCES

Appendix "A" Lakeside Park site specific map for extended foreshore application

Appendix "B" Summer Lane site specific map for new foreshore application

### PURPOSE OF REPORT

The purpose of this report is to gain Council endorsement for Crown tenure applications associated with:

1. A foreshore application to extend the existing area at Lakeside Park.
2. A new foreshore application at Summer Lane on Green Lake

### DISCUSSION

The Resort Municipality of Whistler (RMOW) holds numerous Crown Land Tenures associated with its waterfront parks such as Rainbow Park, Blueberry Park, Green Lake Boat Launch and Alpha Lake Park. These tenure areas require renewal and at times modification to enhance resident and visitor experience and the functionality as is the case at Lakeside Park and Summer Lane.

It is proposed that the Lakeside Park foreshore application be expanded to encompass the area from the point south of the current license and a smaller section adjacent to the north of the existing license as illustrated in Appendix A. The total application area is 113 meters in length and 78m meters in width approximately doubling the former license area and reflects the 2008 park expansion

The Summer Lane foreshore is a new application to enable resident and visitor use of the area and enhance user experience. Access to the site will be via footpath located north of 9035 Summer Lane as well as a footpath over crown land south of 9069 Summer Lane as illustrated in Appendix B. The total application area is 25 meters in length and 3 meters in width to provide a public use floating dock.

The applications are for nominal rent tenures (licence / lease) for Community Institutional use. The specific purpose is for Local / Regional Park, for a period of more than 30 years with a licence of occupation tenure.

These areas are designated as Municipal Park or Municipal property. The docks, floating structures, beach and foreshore will continue to be maintained by municipal Parks Maintenance Department in conjunction with all stakeholders and agencies.

The aquatic crown land will enable enhancement of amenities and contribute to the resident and visitor experience and ongoing success of Whistler as a summertime destination.

## WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Environment	Reducing and eventually eliminating the RMOW's contributions to systematic physical degradation of nature	Developed and recreation areas are designed and managed to protect as much of the natural environment within and around them as possible. Managed foreshore access using docks limits the impacts to foreshore while providing an exceptional experience
		Wildlife awareness and habitat enhancement education to visitors
	Reducing and eventually eliminating the RMOW's contributions to systematic increases in concentrations of substances from the earth's crust	Offering infrastructure for human powered activities. Recycled and or renewable resources are sourced for construction materials
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again	Visitors perceive local products, services and activities to add excellent value to their visit
	The resort is comfortable, functional, safe, clean and well-maintained	A comfortable carry capacity of the resort, its amenities and the surrounding environment is respected

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Environment	Reducing and eventually eliminating the RMOW's contributions to systematic physical degradation of nature	Impacting river side vegetation and sand bars, and potential use of motorized aquatic activities

## OTHER POLICY CONSIDERATIONS

Whistler's Recreation and Leisure Master Plan 2015 includes a number of relevant strategies namely;

- Key Strategy 3.1: Conduct needs assessment or other studies to expand, improve or build municipal facilities.
- On a park by park basis, identify opportunities to increase capacity and improve guest experience.

Key Strategy 4.0: Encourage the delivery of an enhanced and consistent quality of recreational experience across jurisdictions.

- Establish models for collaboration with various land management agencies that enhance visitor experiences within their recreational and natural assets.

Lakes 12.3.3: Plan for new opportunities in response to resort needs and economic activities.

- Direction: Consider developing a waterfront access strategy.
- Rationale: ...add additional access space primarily at Alta and Green Lakes.

Other considerations when planning to work in or around water include: the requirement of a Water Act Section 9 Notification or Approval from the Province; federal Department of Fisheries and Oceans may need a review of the project; a review of the Transport Canada website if Navigation Protection Act applies.

## **BUDGET CONSIDERATIONS**

All costs associated with the application process, materials, staff time and maintenance will be coordinated by Resort Operations within existing budgets and in conjunction with all stakeholders and agencies.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

If the application were endorsed and approved there would be site information signs installed in the area.

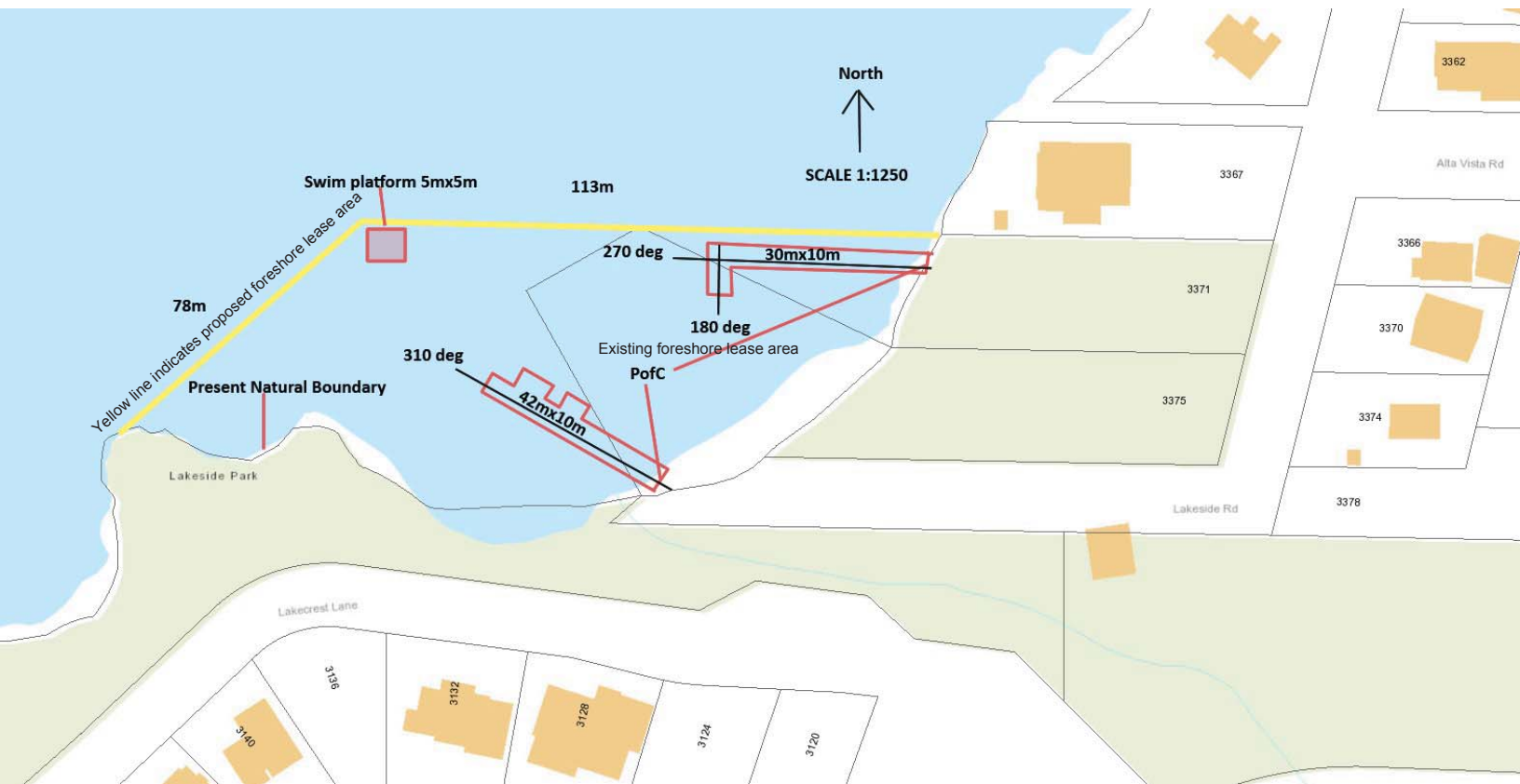
## **SUMMARY**

This report seeks council support and recommendation to proceed with this foreshore application for Lakeside Park and Summer Lane to enhance resident and visitor experience, as described in this report.

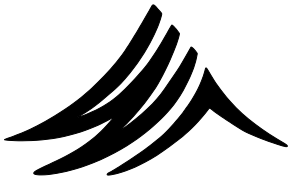
Respectfully submitted,

Paul Beswetherick  
Resort Operations Manager  
Resort Experience  
for  
Jan Jansen  
GENERAL MANAGER OF RESORT EXPERIENCE  
Resort Experience









# WHISTLER

## MINUTES

### REGULAR MEETING OF WHISTLER BEAR ADVISORY COMMITTEE WEDNESDAY, JULY 11, 2018 STARTING AT 8:30 A.M.

**In the Decker Room  
8020 Nesters Road, Whistler, BC V0N 1B8**

#### PRESENT:

Co-Chair, RMOW, H. Beresford  
Co-Chair, AWARE/C2C Grizzly Bear Initiative, C. Ruddy  
RMOW Bear Smart Program Assistant, L. Harrison  
Carney's Waste Systems, P. Kindree  
RMOW Council, S. Maxwell  
Get Bear Smart Society, N. Fitzgerald  
Whistler Blackcomb, A. DeJong  
Whistler Wildlife Protection Group, I. Minic-Lukac  
RMOW Bylaw Services, C. Baker  
Conservation Officer Service, B. Mueller

#### REGRETS:

RCMP, P. Hayes  
Member at Large, M. Toom

#### ADOPTION OF AGENDA

Moved by B. Mueller  
Seconded by S. Maxwell

**That** Whistler Bear Advisory Committee adopt the Whistler Bear Advisory Committee agenda of July 11, 2018.

CARRIED

#### ADOPTION OF MINUTES

Moved by S. Maxwell  
Seconded C. Baker

**That** Whistler Bear Advisory Committee adopt the Whistler Bear Advisory Committee minutes of June 13, 2018.

CARRIED

#### Updates

##### Conservation Officer Service

- Overall very few calls and majority of the calls are bear sightings only.
- The injured bear near the Fairmont was relocated however he returned to the golf course. He will be continually monitored.

- A bear was hit by a car on July 9, 2018 near Alta Lake however the bear was gone on arrival.
- There are lots of berries up high so it should be a good year for the bears.

*P. Kindree arrived 8:38 a.m.*

#### RMOW Bylaw Services

- The number of calls about attractants has dropped off.
- Illegal camping is still a major issue and sometimes there are attractants involved.

#### Carney's Waste Systems

- A memorandum of understanding has been signed between Carney's and the RMOW regarding a designated area in Lot 5 where Carney's can service underground garbage bins. This area will be constructed in the fall and all of the containers will be bear proof.

#### C2C Grizzly Bear Initiative/AWARE

- The Ministry of Forests, Land and Natural Resource Operations has implemented seasonal closures in the Upper Lillooet in the spring and fall for grizzly bears.
- Signage has gone up on every main forest service road in the corridor regarding grizzly bears.

*A. DeJong arrived 8:55 a.m.*

#### Whistler Blackcomb

- Michael Allen has counted 50+ bears moving through the controlled recreation area. He has also observed that mating season appears to have finished early this year.

*N. Fitzgerald arrived 9:15 a.m.*

### PRESENTATIONS/DELEGATIONS

Bear Smart  
Program  
Assistant

Going to Callaghan Road on July 14, 2018 to talk to people about safe bear viewing practices.

Working with the Discover Nature program at Lost Lake every Wednesday to do outreach with visitors at Lost Lake.

Whistler Museum  
and Archives –  
Interpretive Panels  
Project

John Rae (RMOW), Kristina Swerhun and Brad Nichols (Whistler Museum and Archives) presented on RMOW's Interpretive Panels Project. Led a discussion about content, design and location for 12 bear-specific interpretive panels. L. Harrison and C. Baker are the main representatives from the WBAC on this project.

ACTION: L. Harrison distribute sign information and request feedback.

## NEW BUSINESS

### Reviewed status of past actions

Action	Meeting Date	Status
L. McIvor/H. Beresford to touch base with Parking Lot Committee and RMOW Communications Department.	January	Adding parking lot signs to the new RMOW Interpretive Panels Project. Completed.
T. Lunn discussed opportunity for RMOW to share bear management approach at upcoming License Inspectors and Bylaw Officers Association of BC zone meeting or annual conference in 2019.  T. Lunn investigate how to get on zone meeting agenda.	February	Unknown. T. Lunn no longer working with RMOW after end of March. C. Baker to follow up (July).
Bears 1-pager for rental properties and new home owners.	February	L. Harrison will work on this. Collaborate and coordinate messaging with AWARE's Eco-Citizen awareness initiative.
RMOW to consider existing and needed efforts to promote proper composting practices	March	L. Harrison will add a section about proper composting practices to website.
Talk to Kerry Ing regarding an RMOW reporting app for issues in the community and ensure that there is a bear component.	May	L. Harrison is working on this.
Investigate potential for shared online site for key WBAC resources, accessible by all group members	May	T. Symko looked into this and determined not practical or necessary. Instead, L. Harrison to prepare an Orientation Package for new WBAC members.
Talk to Tourism Whistler and all of the golf courses about	June	L. Harrison will work on this.

promoting safe bear viewing practices.		
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**TERMINATION**

Moved by S. Maxwell  
Seconded by P. Kindree

**That** the Whistler Bear Advisory Committee terminate the July 11, 2018  
Whistler Bear Advisory Committee meeting at 10:25 a.m.

CARRIED

  
\_\_\_\_\_  
CO-CHAIR: C. Ruddy  
\_\_\_\_\_  
RECORDING SECRETARY: L. Harrison

**RESORT MUNICIPALITY OF WHISTLER  
ZONING AMENDMENT (8000, 8006, 8010 NESTERS ROAD)  
BYLAW NO. 2200, 2018**

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

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

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

1. This Bylaw may be cited for all purposes as "Zoning Amendment (8000, 8006, 8010 Nesters Road) Bylaw No. 2200, 2018".
2. The "Zoning and Parking Bylaw No. 303, 2015" is amended by adding the following definition in subsection (1) of Part 2:

"retail thrift store" means a store that sells used goods including used clothing, toys, sporting goods and housewares but does not include the sale of used vehicles, consignment stores or pawn shops.
3. "Zoning and Parking Bylaw No. 303, 2015" is further amended in Part 20, by deleting the text that follows Section 6. IAM1 (Institutional Art Museum One) and adding the following immediately after that Section:

**7. CSF1 (Community Service Facility One)**

**Intent**

- (1) The intent of this zone is to provide for a range of community service, public works and institutional facilities.

**Permitted Uses**

- (2) The following uses are permitted and all other uses are prohibited:
  - (a) auxiliary buildings and auxiliary uses;
  - (b) kennel;
  - (c) office;
  - (d) park and playground;
  - (e) recycling and solid waste facility;
  - (f) retail thrift store;

- (g) social services centre
- (h) storage and works yard; and
- (i) vehicle impound yard.

**Density**

- (3) The maximum gross floor area of a social services facility in the CSF1 zone is 1,000 square metres.

**Height**

- (4) The maximum permitted height of a building or structure is 9 meters.

**Site Area**

- (5) The minimum permitted parcel area is 465 square meters.

**Site Coverage**

- (6) No regulations.

**Setbacks and Siting**

- (7) The minimum permitted building setback is 1.5 meters.

**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.
- 4. "Zoning and Parking Bylaw No. 303, 2015" is further amended in Schedule "A" – Zoning Maps in Part 24 Schedules by changing the zoning designation of the following lands to CFS1 (Community Service Facility One):
    - (a) Lot 2 District Lot 1758 Plan LMP111103 as shown outlined in heavy black outline on the plan annexed to this Bylaw as Schedule 1.
  - 5. "Zoning and Parking Bylaw No. 303, 2015" is further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering, ordering of alphabetical lists, and the Schedules of the Zoning and Parking Bylaw.

GIVEN FIRST AND SECOND READINGS this 14 day of August, 2018.

Pursuant to Section 464(2) of the *Local Government Act*, Council waived Public Hearing this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2018.



Approved by the Minister of Transportation this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED BY THE COUNCIL this \_\_\_\_ day of \_\_\_\_\_ 2018.

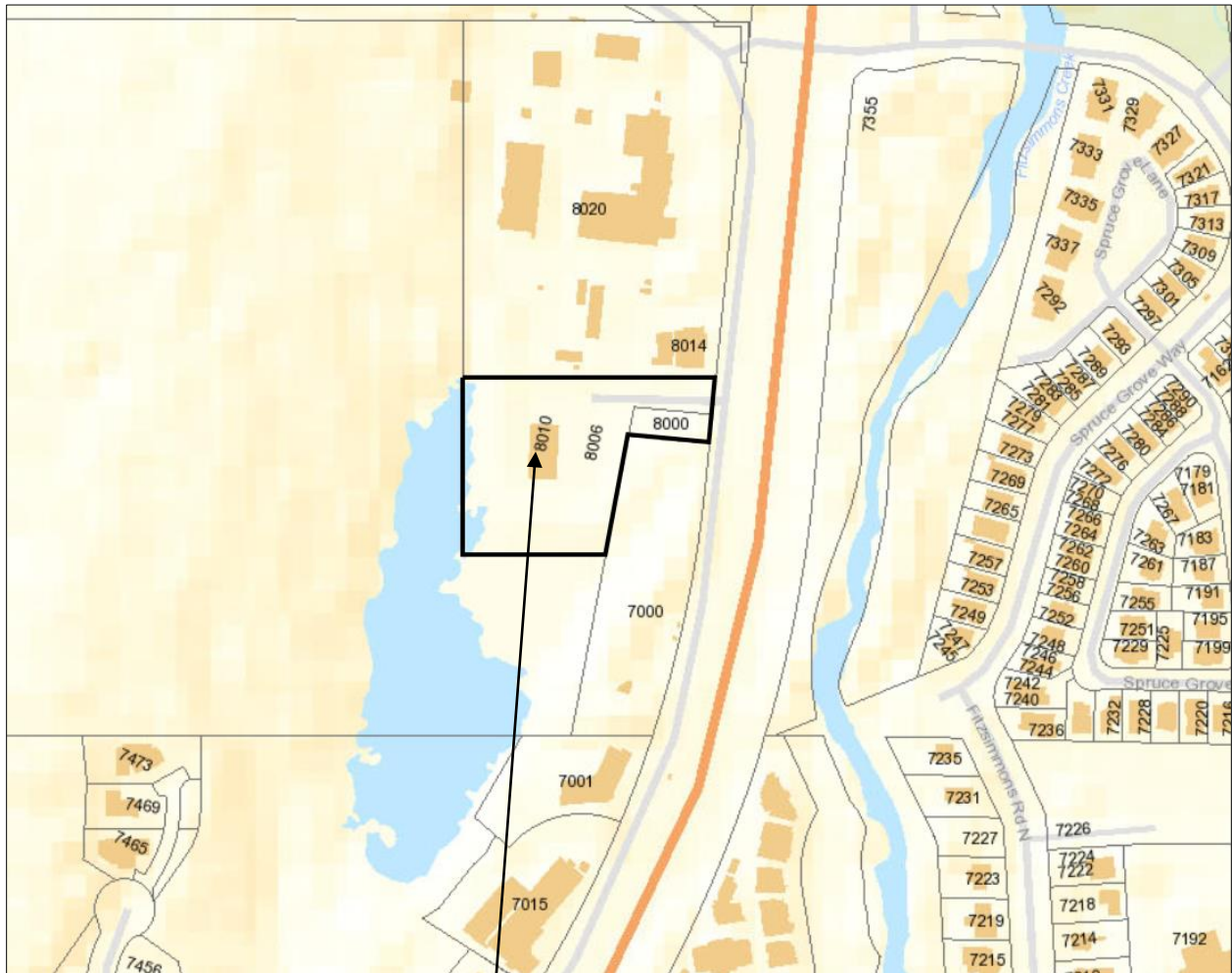
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Nancy Wilhelm-Morden,  
Mayor

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Brooke Browning  
Municipal Clerk

**SCHEDULE 1 to Zoning Amendment Bylaw (8000, 8006 and 8010 Nesters Road)  
No. 2200, 2018**



**Subject Land**

**RESORT MUNICIPALITY OF WHISTLER**  
**PARKING AND TRAFFIC BYLAW NO. 2177, 2018**

A bylaw to regulate, control and prohibit parking and traffic on a highway and public places and to provide for the removal, detention and impounding of vehicles and chattels unlawfully occupying a highway.

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**WHEREAS** the Council of the Resort Municipality of Whistler wishes to exercise its authority to regulate the use of highways and public places pursuant to the *Community Charter* and the *Motor Vehicle Act*;

**AND WHEREAS** the Council of the Resort Municipality of Whistler deems it expedient to provide for the regulation of traffic and parking on highways and public places within the Resort Municipality of Whistler;

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

**1.0 Citation**

1.1 This bylaw may be cited for all purposes as “Parking and Traffic Bylaw No. 2177, 2018”.

**2.0 Previous Bylaw Repeal**

2.1 Parking and Traffic Bylaw No. 1512, 2001 is hereby repealed.

**3.0 Interpretation**

3.1 Words in this bylaw have the same meaning as defined in the *Motor Vehicle Act*, as amended from time to time, unless otherwise defined in this bylaw.

**4.0 Definitions**

4.1 In this bylaw:

“**Angle Parking**” means the parking of a vehicle other than parallel to the curb lines or the lateral lines of a roadway;

“**Bylaw Enforcement Officer**” means:

- (a) a person employed as a bylaw enforcement officer or parking enforcement officer by the Municipality; or
- (b) a member of the Royal Canadian Mounted Police;

“**Commercial parking decal**” means a decal issued by the Municipality under section 12.4;

“**Commercial vehicle**” means:

- (a) every vehicle defined as a commercial vehicle in section 1 of the *Commercial Transport Act*, as amended from time to time;

- (b) every vehicle used for the collection, delivery or transportation of goods or passengers in the course of a business; or
- (c) every tradesperson's vehicle and every other vehicle which displays a commercial parking decal issued under section 12.4 of this bylaw;

**"Council"** means the municipal council of the Resort Municipality of Whistler;

**"Coupon dispenser"** means an automatic meter that dispenses coupons specifying a permitted period of time for which a vehicle may be parked at a location at which the purchase of a coupon is required;

**"Driveway"** means the portion of the boulevard specifically designated and improved to provide vehicular access at a particular point to a parcel of land and the portion of a parcel of land specifically designated and improved to provide vehicular access to a highway;

**"Fire lane"** means that portion of a highway designated as such by a traffic control device and reserved for unobstructed access by Fire Department emergency vehicles;

**"Fire zone"** means that portion of a highway which is contained within the projected extensions of the lateral boundaries of every parcel of land upon which any fire hall or fire station is constructed and in which any equipment for use in fighting fire or other emergency uses is held, stored or maintained by the Municipality;

**"Highway"** includes:

- (a) every highway within the meaning of the *Transportation Act*, including every road, street, lane or right of way designed or intended for or used by the general public for the passage of vehicles; and
- (b) every place or passageway to which the public, for the purpose of parking or servicing of vehicles, has access or is invited, but does not include an industrial road;

**"Idle"** means the operation of the engine of a vehicle while the vehicle is not in motion;

**"Loading zone"** means that portion of a highway designated as such by a traffic control device and reserved for the exclusive use of loading or unloading of commercial vehicles;

**"Municipality"** means the Resort Municipality of Whistler;

**"Municipal Engineer"** means the person appointed as the Municipality's General Manager of Infrastructure Services from time to time by resolution of Council;

**"Person"** as applied with regard to a vehicle includes the person operating the vehicle, the person who holds the legal title to the vehicle, a person who is a conditional vendee, a lessee, or a mortgagor, and is entitled to be and is in possession of the vehicle, and the person in whose name the vehicle is registered;

**“Recreation vehicle”** means a motor vehicle or a vehicle towed by a motor vehicle, that provides living accommodation, and includes a travel trailer, tent trailer, camper, camperized vehicle, and motor home;

**"Stop"** or **"stand"** means:

- (a) when required, a complete cessation from movement; and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Bylaw Enforcement Officer or traffic control device;

**“Valley Trail”** means a paved or unpaved Type I or Type II recreational path as defined by the current edition of “Whistler Trail Standards” published by the Municipality from time to time, for pedestrian, non-motorized bicycles and wheeled mobility aid use;

**“Village Stroll”** means the area for the exclusive use of pedestrians as a pedestrian stroll in Whistler Village and the Upper Village as shown in Schedule “C”.

## **5.0 Application**

5.1 The provisions of this bylaw do not apply to:

- (a) a fire, police or emergency vehicle; or
- (b) a Bylaw Enforcement Officer engaged in the performance of his or her duties on behalf of the Municipality.

5.2 The provisions of this bylaw relating to the stopping, standing or parking of vehicles do not apply to the stopping, standing or parking of vehicles by:

- (a) the driver of a vehicle owned, leased or otherwise under the control of the Government of Canada, the Province of British Columbia, a municipality or a public utility, while the driver is engaged in works that require him or her to stop, stand or park the vehicle; or
- (b) the driver of a vehicle designed for towing other vehicles, while the vehicle designed for towing is stopped, standing or parked for that purpose, and with amber warning lights activated.

5.3 A person exercising a privilege conferred by sections 5.1 or 5.2 must exercise that privilege with due regard and safety and in a manner that obstructs traffic as little as possible.

## **6.0 Powers of the Municipal Engineer**

- 6.1 The Municipal Engineer is authorized to do the following, and to make orders providing for the following, for the purpose of exercising the powers of the Municipality under this bylaw, subject to the terms and conditions prescribed in this bylaw:
- (a) place or erect, or cause to be placed or erected, traffic control devices to give effect to the *Motor Vehicle Act*, this bylaw or an order under this section;
  - (b) regulate, control or prohibit the stopping, standing or parking of vehicles on a highway;
  - (c) direct a person to place or erect traffic control devices prohibiting parking:
    - i. at the entrance to places of public assembly when the assembly is taking place;
    - ii. upon either or both sides of any highway or portion thereof along the route of any parade or in the vicinity of larger gatherings;
    - iii. at any location where, upon special circumstances it is deemed necessary to facilitate or safeguard traffic; or
    - iv. in front of any building, structures or roadworks under construction, alteration, repair or demolition;
  - (d) designate a portion of a highway as:
    - i. a bus stop zone;
    - ii. a loading zone;
    - iii. a fire lane;
    - iv. a bike lane; or
    - v. a pedestrian path;
  - (e) designate portions of highways for parking zones for persons with disabilities, including providing for a system of permits for those parking zones;
  - (f) the setting apart and allotting of portions of highways adjacent to federal, provincial or municipal public buildings for the exclusive use of officials and officers engaged in them for the parking of vehicles, and the regulation of that parking;
  - (g) erect, maintain and operate on a highway or portion of it automatic or other mechanical coupon dispensers for the purpose of allotting and controlling parking spaces for vehicles, and measuring and recording the duration of parking, and requiring the driver of every vehicle parked in a parking space

to deposit in the appropriate meter a fee for parking in the manner and at the rate prescribed and as measured by the meter;

- (h) erect traffic control devices indicating that people or equipment are working on the highway that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out;
- (i) erect traffic control devices regulating or prohibiting traffic in the vicinity of a highway where construction, reconstruction, widening, repair, marking or other work is being carried out;
- (j) establish school crossings in the Municipality; and
- (k) establish taxi stands in the Municipality for the exclusive use of taxis;

## **7.0 Temporary Traffic Control Devices**

7.1 A Bylaw Enforcement Officer or the Municipal Engineer may:

- (a) place temporary traffic control devices; and
- (b) divert or restrict traffic;

for the purpose of protecting public safety, facilitating an emergency response, or enabling work to be done on a highway.

## **8.0 Stopping, Standing and Parking Vehicles**

8.1 No person may stop, stand or park a vehicle:

- (a) within 5 metres of a fire hydrant, measured from a point in the curb or edge of the roadway which is closest to the fire hydrant;
- (b) in a fire lane, except as permitted by a traffic control device;
- (c) in a fire zone;
- (d) on a sidewalk, boulevard, shoulder or any place reserved for pedestrians except where specifically designed as a parking zone;
- (e) so as to block a driveway;
- (f) in or within 6 metres of an intersection, except as permitted by a traffic control device;
- (g) within 6 metres of the approach to a flashing beacon, yield sign or stop sign located at the side of a roadway;

- (h) on a highway in contravention of a traffic control device which gives notice that standing, stopping or parking there is restricted or prohibited;
- (i) within 15 metres of the nearest railway crossing;
- (j) at any time on that side of the highway assigned odd building numbers in the Municipality's building numbering bylaw, unless permitted by a traffic control device;
- (k) between the hours of 9 a.m. to 5 p.m. on Monday to Friday, except for statutory holidays, from November 1st of each year to March 31st of the succeeding year, on that side of any highway assigned even building numbers in the Municipality's building numbering bylaw, unless permitted by a traffic control device;
- (l) on a crosswalk or within 6 metres of the approach side of a crosswalk;
- (m) on a school crossing or within 6 metres of the approach side of a school crossing;
- (n) alongside or opposite a street excavation or other obstruction when stopping, standing or parking obstructs traffic;
- (o) on a highway for the purpose of or in a manner that is amenable to:
  - i. displaying a vehicle for sale;
  - ii. advertising, greasing, painting, wrecking, storing or repairing a vehicle, except where repairs are necessitated by an emergency;
  - iii. displaying signs; or
  - iv. selling flowers, fruit, vegetables, sea foods or other commodities or articles;
- (p) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- (q) on a bridge or other elevated structure on a highway, except as permitted by a traffic control device;
- (r) within 20 metres of a bus stop;
- (s) on a bike lane, pedestrian walkway, the Village Stroll or the Valley Trail;
- (t) in any highway in such a manner or under such conditions so as to:



- i. cause the width of the travelled portion of such highway available for the free movement of vehicular traffic to be less than 6 metres; or
  - ii. obstruct traffic into or out of any driveway or private road or garage adjoining such highway;
- (u) in any cul-de-sac unless expressly permitted by a traffic control device;
- (v) in an area reserved for government officials or officers, unless the person is the intended beneficiary of the reservation;
- (w) on a highway other than parallel with the curb or edge of the roadway and in the direction of travel, unless the highway is designated for angle parking, and where there is a curb, not further than 30 centimetres from that curb as measured from the nearest wheel;
- (x) on a highway designated for angle parking other than at 45 degrees to the curb or edge of the roadway, or other such angle as indicated by a traffic control device, and in the direction of travel, and where there is a curb, not further than 30 centimetres from that curb as measured from the nearest wheel;
- (y) on a highway where parking stalls have been designated other than wholly within the designated parking stall;
- (z) at a time or for a length of time in contravention of an applicable traffic control device on a highway where traffic control devices indicate the length of time or the time of day for which parking is allowed;
- (aa) on any portion of a highway where traffic control devices indicate the length of time allowed for parking and the requirement to register a licence plate number, or where a licence plate number was registered for a period of time and has since expired;
- (bb) on any portion of a highway where traffic control devices indicate the length of time allowed for parking and the requirement to purchase a coupon from a coupon dispenser and to conspicuously display such coupon, imprinted side up, on the vehicle dashboard, or where a coupon was purchased for a period of time and has since expired;
- (cc) without a valid monthly parking permit on any portion of a highway where traffic control devices indicate that a monthly parking permit is required;
- (dd) upon any highway for a continuous period exceeding 72 hours;

- (ee) on a highway or public place between 9 pm and 6 am if the vehicle or the vehicle together with the trailer attached to the vehicle has a licenced gross vehicle weight that exceeds 5,500 kgs or exceeds 8.5 metres in length;
- (ff) in a parking zone for persons with disabilities zone unless the vehicle displays a valid permit issued under Division 38 of the *Motor Vehicle Act Regulations* or issued under this bylaw;
- (gg) on any highway or public place without proper or valid insurance displayed;
- (hh) on any highway or public place without proper or valid number plates displayed;
- (ii) adjacent to a curb that is painted yellow;
- (jj) so as to obstruct or interfere with the normal passage of vehicular or pedestrian traffic;
- (kk) on any portion of a highway for which a sign or traffic control device indicates that the portion of the highway is:
  - i. being used for construction, reconstruction, maintenance or repair of the roadway, sidewalk or public utility works; or
  - ii. the location of scheduled removal of snow, ice, leaves, dirt or other debris;
- (ll) in front of a barricade used to block off a roadway or access to a roadway;
- (mm) in municipal parks, except in areas designated for parking;
- (nn) on a portion of a highway designated as a taxi stand, unless the vehicle is a taxi licensed for operation within the Municipality;
- (oo) in a loading zone except as permitted by section 12.3 of this bylaw; or
- (pp) with the vehicle engine idling for a period longer than 1 minute, unless the motor vehicle:
  - i. is idling while passengers are actively embarking or disembarking;
  - ii. is idling in lanes of traffic because of traffic congestion, an emergency, or mechanical difficulties;
  - iii. is an emergency vehicle;
  - iv. is an armoured vehicle involved in the secure delivery or pick up of goods;

- v. is engaged in a parade or race authorized by the Municipality;
- vi. is engaged in a mechanical test or maintenance procedure for which idling is required;
- vii. must remain idling so as to power equipment or tools ancillary to the motor vehicle, and such equipment is in use; or
- viii. must remain idling so as to power a heating or refrigeration system for the preservation of perishable cargo.

8.2 No person shall:

- (a) disobey a traffic control device placed under this bylaw;
- (b) operate a prohibited type of vehicle on a portion of a highway designated for a particular type of vehicle or exclusively for pedestrian use;
- (c) disobey the direction of a crossing guard at a school crossing;
- (d) place or leave any chattel, structure or other thing on a highway except as authorized by this bylaw or another enactment;
- (e) abandon a vehicle on a highway;
- (f) leave an inoperable vehicle on a highway; or
- (g) leave on or in a vehicle on a highway any substance that could attract a bear, cougar, coyote or wolf, including but not limited to food products, domestic landfill waste or garbage, pet food, seed, restaurant grease, game meat, or glass or metal ware or other item containing food or food residue.

8.3 If a crossing guard enters the roadway at a school crossing, the operator of a vehicle approaching the school crossing must come to a complete stop and remain stopped until all pedestrians and the crossing guard have left the roadway.

**9.0 Trailers**

9.1 No person shall park or place a trailer designed for occupancy by individuals or for the carriage of goods and merchandise on any highway, or any portion of a public parking lot operated by the Municipality, unless the trailer is attached to a motor vehicle mechanically capable of towing the trailer.

**10.0 Occupation of Vehicles and Trailers**

10.1 No person shall:

- (a) occupy a motor vehicle, recreation vehicle, or trailer as temporary or permanent living quarters;

- (b) stabilize, secure or otherwise prevent a motor vehicle, recreation vehicle, or trailer from movement, including the use of jacks, blocks, bricks or other material;
- (c) operate, use, deploy, or open extendable parts known as “push outs” or “slide outs” on a motor vehicle, recreation vehicle, or trailer; or
- (d) sleep in a motor vehicle, recreation vehicle, or trailer;

while it is parked upon any highway or in any portion of a parking lot owned or operated by the Municipality.

- 10.2 The Municipal Engineer, Supervisor of Bylaw Services or their designate may temporarily exempt certain persons from section 10.1 for the purpose of facilitating a municipally sanctioned special event.

#### **11.0 Traffic Notices**

- 11.1 No person other than the owner or driver of a vehicle may remove any notice placed or affixed on the vehicle by a Bylaw Enforcement Officer in the course of their duty.
- 11.2 No person shall cause or permit a vehicle to move from one location to another location on the same street immediately after that person has exhausted the time limit for parking on that street.
- 11.3 No person shall deliberately erase a chalk mark from a tire marked by a Bylaw Enforcement Officer or remove any other object or device used by the Bylaw Enforcement Officer in the course of their duties.
- 11.4 No person may deliberately cover, conceal or hide a vehicle number plate, or park in such a manner to cover, conceal or hide a vehicle number plate while parked on a highway or any portion of a public parking lot operated by the Municipality.

#### **12.0 Commercial Vehicles**

- 12.1 No person shall park a commercial vehicle with a licenced gross vehicle weight in excess of 5,500kg on any highway in the Municipality, except as permitted by sections 12.2 and 12.3 of this bylaw.
- 12.2 A commercial vehicle is exempt from section 12.1 of this bylaw if the commercial vehicle is:
- (a) displaying a commercial vehicle decal and is being used to provide a tradesperson’s service or other commercial service to land adjacent to the highway where the vehicle is parked; or
  - (b) providing a moving service on land adjacent to the highway where the vehicle is parked;

provided that the commercial vehicle is moved by its operator immediately at the request of a Bylaw Enforcement Officer

- 12.3 A commercial vehicle displaying a commercial vehicle decal may be parked for a maximum of 30 minutes in an area designated by a traffic control device as a “loading zone”, if the operator is engaged in loading or unloading of materials, provided that the commercial vehicle is moved by its operator immediately at the request of a Bylaw Enforcement Officer.
- 12.4 A person may obtain a commercial vehicle decal for one or more vehicles owned by that person and used as part of a business by completing an application in the form prescribed by the Municipal Engineer and providing to the Municipality:
- (a) the licence plate, make and model of each vehicle;
  - (b) proof of a valid commercial use vehicle insurance policy that covers each vehicle;
  - (c) proof of a valid municipal business licence;
  - (d) full payment of all unpaid fines imposed in relation to the use of each vehicle in contravention of this Bylaw; and
  - (e) payment of a \$30.00 processing fee.
- 12.5 A commercial vehicle decal is valid only for the calendar year in which it is issued.

### **13.0 Impoundment of Vehicles and Chattels**

- 13.1 The Municipal Engineer, Roads Supervisor, a lead hand, a Bylaw Supervisor, a Bylaw Enforcement Officer or a Parking Officer may remove and impound, or cause to be removed and impounded:
- (a) any vehicle that is placed, parked, stopped or standing in violation of this bylaw; and
  - (b) any chattel, structure or other thing that is unlawfully occupying a portion of a highway.
- 13.2 Despite section 13.1(b), the Municipal Engineer, Roads Supervisor, a lead hand, a Bylaw Supervisor, a Bylaw Enforcement Officer or a Parking Officer may dispose of any chattel or structure or thing that appears to have been discarded or abandoned as worthless on a highway.
- 13.3 The owner of a vehicle impounded under this bylaw shall, within 30 days of the vehicle’s impoundment, pay to the Municipality or an authorized agent of the Municipality:
- (a) the Towing Fee calculated using the Towing Fee Table;
  - (b) the Impound Fee; and
  - (c) the Administration Fee;

as set out in Schedule “A”.

- 13.4 An owner of a vehicle may not reclaim a vehicle impounded under this bylaw until all fees imposed under section 13.3 have been paid.
- 13.5 The Municipality shall, at least 2 weeks prior to offering a vehicle at auction under section 13.6 or disposing of a vehicle under section 13.7(b), send by regular mail written notice of an intention to dispose of the vehicle to:
- (a) the person registered with the Insurance Corporation of British Columbia as the owner of the vehicle; and
  - (b) any person who has a security interest in the vehicle where a financing statement with respect to the security interest is registered at the date of the impoundment.
- 13.6 If a vehicle impounded under this bylaw is not reclaimed within 30 days, the Municipality may offer the vehicle for sale at auction and credit the proceeds of any sale against the following in the indicated order:
- (a) the fees imposed under section 13.3;
  - (b) the Auction Fee set out in Schedule “A” payable to the Municipality; and
  - (c) the surplus payable to the owner of the vehicle upon the owner’s demand.
- 13.7 If a vehicle impounded under this bylaw:
- (a) does not sell at auction; or
  - (b) has a market value that a Bylaw Enforcement Officer reasonably determines is less than the fees payable by the owner under this bylaw;
- the Municipality may dispose of the vehicle and credit any proceeds from salvage towards the fees imposed under section 13.3 and, if the vehicle did not sell at auction, the Auction Fee set out in Schedule “A” that is payable to the Municipality.
- 13.8 If the Municipality impounds a thing under this bylaw other than a vehicle, then the owner of the thing must pay the Impound Fee set out in Schedule “A” within 14 days of the thing’s impoundment.
- 13.9 An owner may not reclaim a thing impounded under this bylaw until all fees imposed under section 13.8 have been paid.
- 13.10 If the owner of a thing fails to pay the Impound Fee imposed by section 13.8 in the time required, the Municipality may seek recovery of those fees by selling the thing using whichever process a Bylaw Enforcement Officer considers appropriate once the Bylaw

Enforcement Officer has made reasonable efforts to notify the owner of the thing, if known, of the impending sale.

#### **14.0 Vehicle repairs**

No person shall make any repairs to a vehicle while it is upon any highway, other than such temporary repair as is necessary for the removal of such vehicle from the highway.

#### **15.0 Removal of wrecked or damaged vehicles**

Every person who removes a wrecked or damaged vehicle from the scene of an accident on a highway shall remove all glass and other debris caused by the accident from the highway.

#### **16.0 Altering traffic control device**

No person shall remove, mark, imprint on, or in any manner whatsoever deface, damage or interfere with any traffic control device erected or placed under the provisions of this bylaw.

#### **17.0 Requirement to state name and address**

When requested by a Bylaw Enforcement Officer the driver or operator of a vehicle, or the person in charge of a vehicle on a highway, shall correctly state his or her name and address and the name and address of the owner of the vehicle.

#### **18.0 Lower Speed Limit on Designated Highways**

No person shall drive or operate a motor vehicle on any of those highways or portions of highways shown in grey on Schedule "B" at a greater rate of speed than 30 km/h. For clarity and in accordance with section 146(9) of the *Motor Vehicle Act* a person who contravenes this Section does not commit an offence against this bylaw but may contravene section 146(7) of the *Motor Vehicle Act*.

#### **19.0 Obstruct Bylaw Enforcement Officer**

19.1 Every person shall comply with an order, direction, signal or command made or given by a Bylaw Enforcement Officer under this bylaw.

19.2 No person may refuse to comply with the lawful direction of any Bylaw Enforcement Officer or otherwise hinder, delay or obstruct in any manner, directly or indirectly, a Bylaw Enforcement Officer carrying out duties in accordance with this bylaw.

#### **20.0 Penalties**

Any person who contravenes this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw commits an offence and, upon summary conviction, shall be liable to a penalty of not less than \$100 and not more than the maximum penalty provided under the *Offence Act*, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

**21.0 Severability**

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

**22.0 Schedules**

Schedules "A", "B" and "C" are attached to and form part of this bylaw.

GIVEN FIRST AND SECOND READINGS this 14 day of August, 2018.

Pursuant to Section 464(2) of the *Local Government Act*, Council waived Public Hearing this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Approved by the Minister of Transportation this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED BY THE COUNCIL this \_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Nancy Wilhelm-Morden,  
Mayor

\_\_\_\_\_  
Brooke Browning  
Municipal Clerk



Schedule "A"

Towing Fee Table					
Item	Distance	Weight of Vehicle			
	Column 1	Column 2 Up to 2 999 kg Gross Vehicle Weight	Column 3 3 000 kg to 6 300 kg Gross Vehicle Weight	Column 4 6 301 kg to 9 072 kg Gross Vehicle Weight	Column 5 9 073 kg Gross Vehicle Weight and over
1	Up to 6.0 km	\$88.65	\$93.61	\$148.40	\$197.37
2	6.1 km to 16.0 km, add per km	\$3.02	\$3.50	\$4.25	\$8.96
3	16.1 km to 32.0 km, add per km	\$2.55	\$3.19	\$3.60	\$7.68

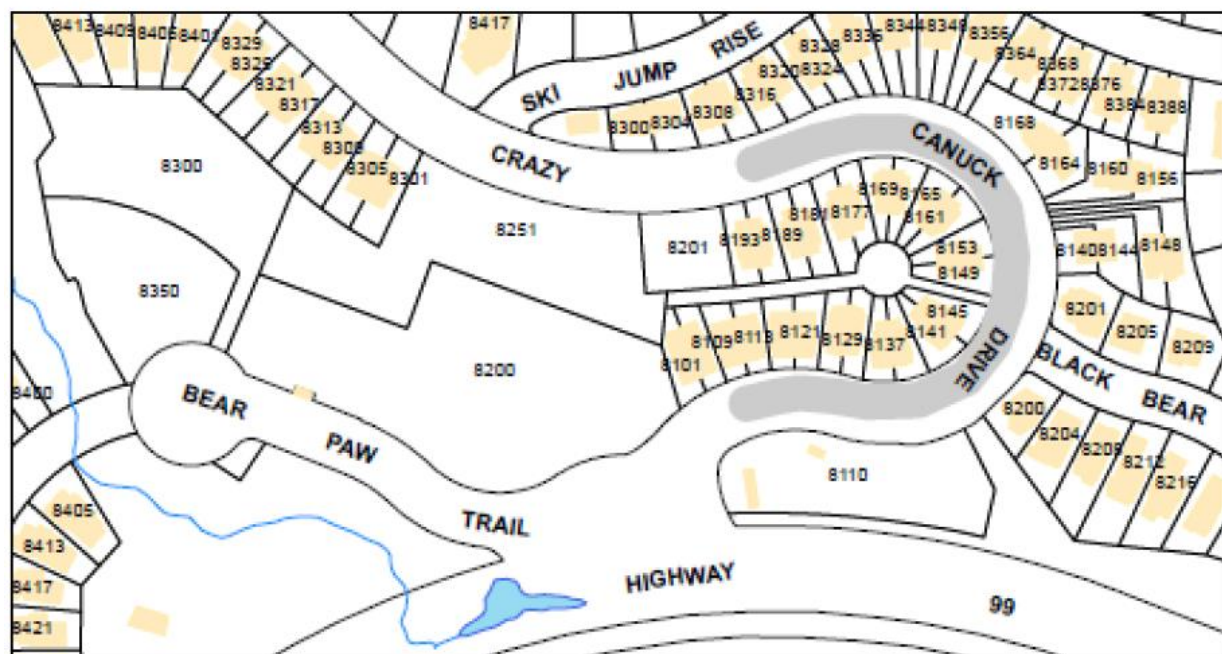
**Impound Fee:** \$19.75 per day or part thereof.

**Administration Fee:** \$34.43 for a claimed vehicle, and \$68.85 for an unclaimed vehicle.

**Auction Fee:** \$100.00



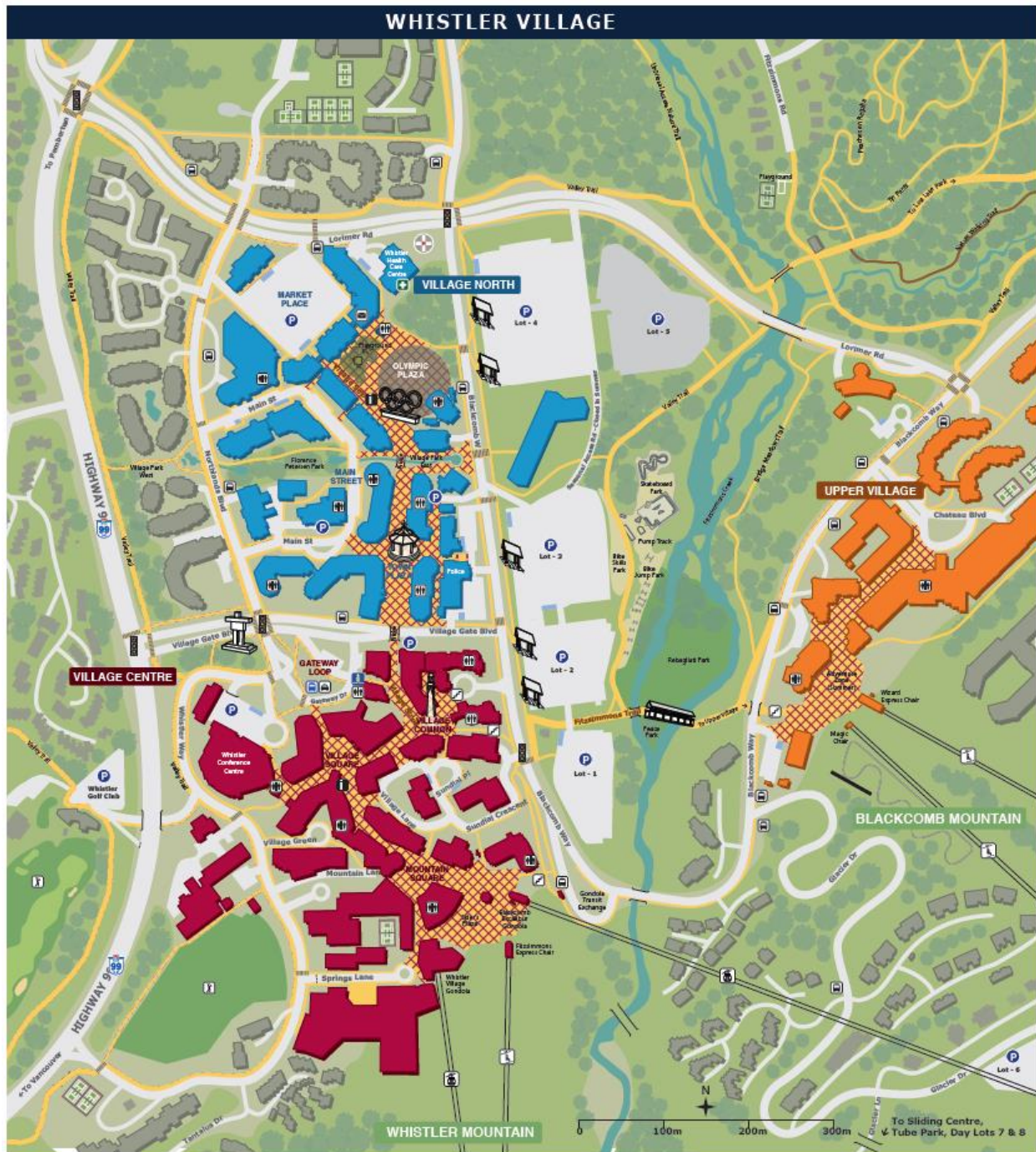
Rainbow



30 KM/H Speed Limit Designated Highway



## Schedule "C" - Village Stroll Map



Village Stroll

## **RESORT MUNICIPALITY OF WHISTLER**

### **BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW NO. 2194, 2018**

#### **A BYLAW TO AMEND “BYLAW NOTICE ENFORCEMENT BYLAW NO. 2174, 2018”.**

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**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 No. 2194, 2018”.
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;
  - (b) adding the table attached as Schedule “B” to this Bylaw to the tables listed in Schedule “A” of Bylaw Notice Enforcement Bylaw No. 2174, 2018;
  - (c) adding the table attached as Schedule “C” to this Bylaw to the tables listed in Schedule “A” of Bylaw Notice Enforcement Bylaw No. 2174, 2018;
  - (d) deleting the words “Parks Bylaw No. 1526, 2002” in Schedule A of Bylaw Notice Enforcement Bylaw No. 2174, 2018 and replacing them with the words “Park Use Bylaw No. 1526, 2002”; and
  - (e) deleting section 19 in its entirety and adding the following as section 19:
    19. Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the Act:
      - (a) members of the Royal Canadian Mounted Police (RCMP);
      - (b) the Fire Chief and members of the Whistler Fire Rescue Service; and
      - (c) bylaw enforcement officers under section 36 of the Police Act.
3. Schedules “A”, “B”, and “C” attached to this Bylaw form part of this Bylaw.

GIVEN FIRST and SECOND READINGS this 14 day of August, 2018.

GIVEN THIRD READINGS this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor, N. Wilhelm-Morden

\_\_\_\_\_  
Municipal Clerk, B. Browning

I HEREBY CERTIFY that this is a true copy of  
the "Bylaw Notice Enforcement Amendment  
Bylaw No. 2177, 2018".

\_\_\_\_\_  
Municipal Clerk, B. Browning

Schedule "A"

Parking and Traffic Bylaw No. 2177, 2018

<b>DESIGNATED EXPRESSION</b>	<b>SECTION(S)</b>	<b>Discounted Penalty</b>	<b>Penalty</b>	<b>Compliance Agreement Available</b>
Park within 5m of fire hydrant	8.1(a)	60	130	NO
Park in fire lane	8.1(b)	60	130	NO
Park in fire zone	8.1(c)	140	140	NO
Park on sidewalk, boulevard or shoulder	8.1(d)	35	70	NO
Block driveway	8.1(e)	35	70	NO
Park within 6m of intersection	8.1(f)	35	90	NO
Park within 6m of flashing beacon	8.1(g)	35	70	NO
Park in prohibited area	8.1(h)	35	70	NO
Park within 15m of nearest railway crossing	8.1(i)	35	70	NO
Park on odd side of street	8.1(j)	35	70	NO
Park on even side of street	8.1(k)	35	70	NO
Park within 6m of crosswalk	8.1(l)	35	70	NO
Park within 6m of school crossing	8.1(m)	35	70	NO
Parking next to obstruction	8.1(n)	35	70	NO
Parking for advertising purpose	8.1(o)	35	90	NO
Double parking	8.1(p)	35	70	NO
Parking on a bridge	8.1(q)	35	70	NO
Parking within 20m of bus stop	8.1(r)	35	70	NO
Park on bike lane or pedestrian area	8.1(s)	35	70	NO
Obstructing road access	8.1(t)	35	90	NO

Park on cul-de-sac	8.1(u)	35	70	NO
Park in reserved parking spot	8.1(v)	35	70	NO
Improper parking	8.1(w)	35	70	NO
Fail to angle park	8.1(x)	35	70	NO
Fail to park within stall	8.1(y)	35	90	NO
Overparking	8.1(z)	35	70	NO
Expired meter	8.1(aa)	35	70	NO
Expired/fail to obtain parking coupon	8.1(bb)	35	70	NO
No monthly permit for parking	8.1(cc)	35	70	NO
Park over 72hrs	8.1(dd)	35	90	NO
Park heavy vehicle at night	8.1(ee)	100	180	NO
Park in zone for people with disabilities	8.1(ff)	140	140	NO
Park uninsured vehicle	8.1(gg)	100	180	NO
Park vehicle without licence plates	8.1(hh)	100	180	NO
Park by yellow line	8.1(ii)	35	70	NO
Blocking traffic	8.1(jj)	35	70	NO
Park contrary to sign (construction/street cleaning/snow clearing)	8.1(kk)	35	70	NO
Park in front of barricade	8.1(ll)	35	70	NO
Prohibited parking within a park	8.1(mm)	35	70	NO
Park in taxi stand	8.1(nn)	35	70	NO
Park in loading zone	8.1(oo)	60	130	NO
Excessive idling	8.1(pp)	100	180	NO
Fail to obey traffic control device	8.2(a)	35	70	NO
Operate vehicle in prohibited area	8.2(b)	35	70	NO



Disobey crossing guard	8.2(c)	35	70	NO
Litter on or obstruct highway	8.2(d)	35	70	NO
Abandon vehicle on highway	8.2(e)	35	70	NO
Place inoperable vehicle on highway	8.2(f)	35	70	NO
Vehicle with wildlife attractant	8.2(g)	35	70	NO
Fail to stop at school crossing	8.3	35	70	NO
Unhitched trailer on highway	9.1	35	70	NO
Camping or living in vehicle on highway	10.1(a)	100	125	NO
Jacking vehicle or trailer up on highway	10.1(b)	100	100	NO
Using push outs on highway	10.1(c)	35	70	NO
Sleeping in vehicle or trailer on highway	10.1(d)	100	125	NO
Unauthorized removal of notice	11.1	35	70	NO
Consecutive parking on same street	11.2	35	70	NO
Removing bylaw officer markings	11.3	35	70	NO
Obscuring licence plate	11.4	35	70	NO
Prohibited commercial vehicle parking	12.1	100	180	NO
Repairs on highway	14.0	35	70	NO
Fail to remove glass	15.0	35	70	NO
Interfering with traffic control device	16.0	35	70	NO
Fail to provide identification	17.0	35	70	NO
Obstruct bylaw officer	19.2	35	70	NO

Schedule "B"

Pesticide Use Regulation Bylaw No. 1822, 2007

<b>DESIGNATED EXPRESSION</b>	<b>SECTION(S)</b>	<b>Discounted Penalty</b>	<b>Penalty</b>	<b>Compliance Agreement Available</b>
Apply, cause or permit application on non-permitted pesticide	3.1	250	300	NO

Schedule "C"

Environmental Protection Bylaw No. 2000, 2012

<b>DESIGNATED EXPRESSION</b>	<b>SECTION(S)</b>	<b>Discounted Penalty</b>	<b>Penalty</b>	<b>Compliance Agreement Available</b>
Cause or permit discharge of polluting substance	4.1(a)	250	300	NO
Cause or permit obstruction of flow	4.1(b)	250	300	NO
Cut or damage applicable tree	7.1	500	500	NO
Failure to post valid permit	9.6	250	300	NO
Failure to comply with notice	12.1	250	300	NO
Failure to comply with a permit condition	14.1	250	300	NO

July 21, 2018

Mayor and Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC  
V0N 1B4

Dear Mayor and Council,

We the undersigned home owners on Alta Lake Road support the construction of the municipal sewer as well as the Fortis gas line. We kindly request that the municipality supply the information required in section 212 (2) C, D, E, and F.

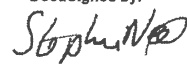
Thank you for your assistance and consideration.



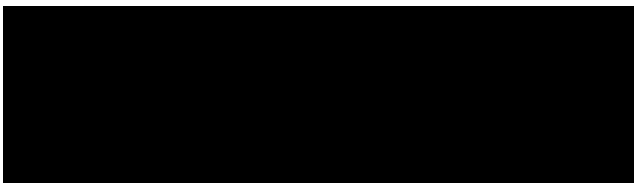
Gabriela von Pfetten  
Home owner

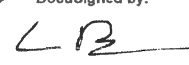


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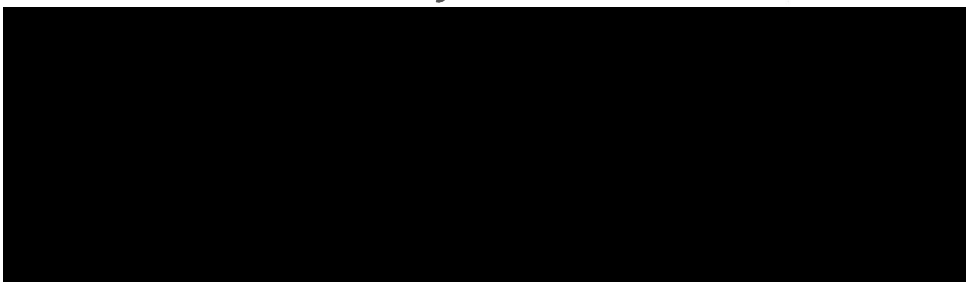
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Gabriela von Pfetten and Stephen Neal

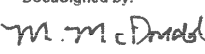


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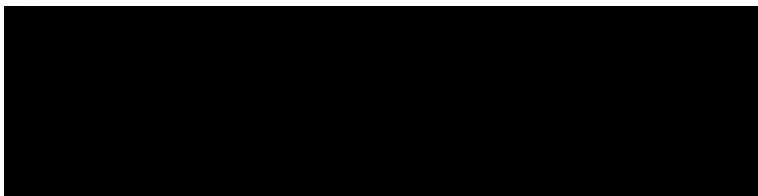
Dr. Lauren Bramley




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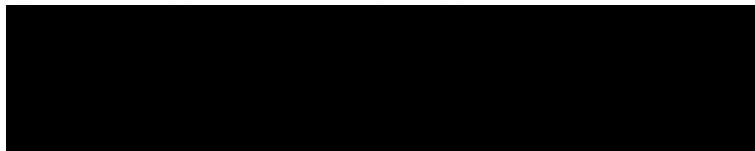
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Bob and Martha Mcdonald



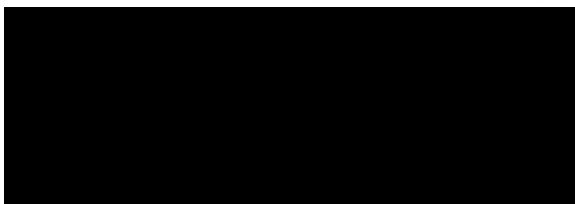
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Jonathon Lutz and Bernadette Smyth  
5650 Alta Lake Road



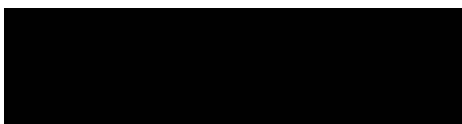
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Robert and Victoria Little



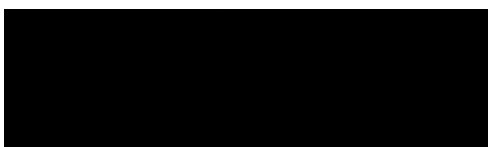
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Robert Devine



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Karel and Karen Jonkers

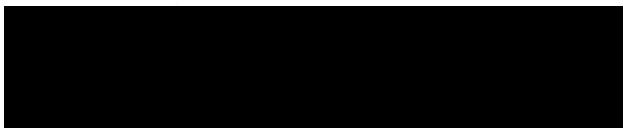


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*Roger McCarthy*

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Roger McCarthy

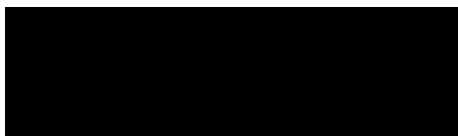


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*Shane Burgess and Jennifer Mak*

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Shane Burgess and Jennifer Mak

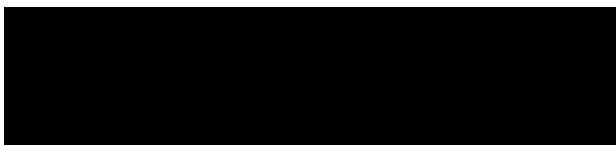


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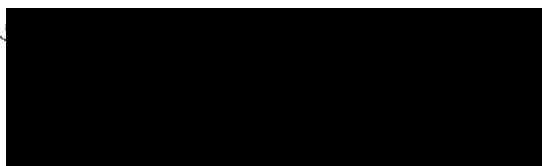
*Jenny Rockowitz*

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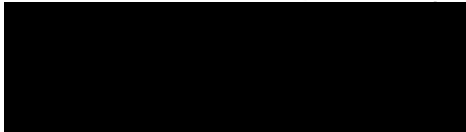


MARK TRACEY



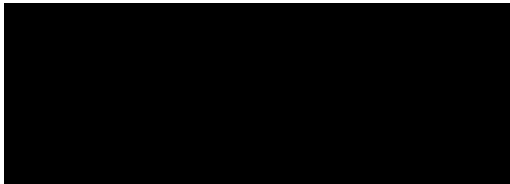
*Mark Tracey*

Eric Roth and Debra Greenfield



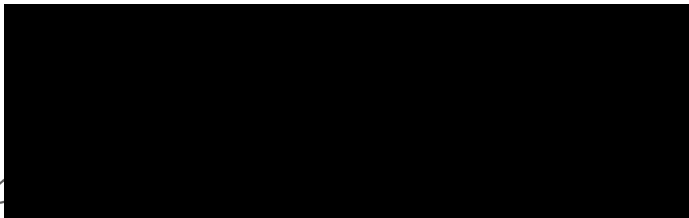
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*Gene Simmons*  
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Gene Simmons



A handwritten signature in cursive script that reads "Daniel Miller".

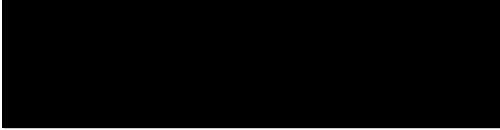
Daniel Miller





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*Gregory Smyth*  
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Gregory Smyth





# LEGISLATIVE ASSEMBLY

of BRITISH COLUMBIA

## BY EMAIL

August 13, 2018

Mayor Nancy Wilhelm-Morden and Council  
Resort Municipality of Whistler

Dear Mayor Wilhelm-Morden,

### **Re: 2018 UBCM Official Opposition Meeting Opportunities**

With the 2018 Union of BC Municipalities (UBCM) Convention in Whistler fast approaching, the Members of the Official Opposition would like to extend an invitation to meet during the UBCM Convention. As the Official Opposition, we value the positive working relationships we have with local governments and will continue to strongly advocate for you in Victoria. As the Opposition Critic for Municipal Affairs, I look forward to learning more about the unique challenges and opportunities facing your community. To set up a time to meet with me or any of our opposition critics at UBCM Convention, please contact Parveen Sandur at [Parveen.Sandur@leg.bc.ca](mailto:Parveen.Sandur@leg.bc.ca) or via telephone at 250-953-4759.

Our Caucus is once again hosting several roundtable discussions which will offer an opportunity for community leaders such as yourself to share your valuable knowledge and experience with the issues as well as provide any strategic recommendations. All three roundtables will be held at the Aava Whistler Hotel on Thursday, September 13:

TOPIC	CRITIC(S)	TIME	ROOM
Downloading onto Local Communities	Todd Stone	2:30-3:15pm	Summit A
Speculation Tax	Shirley Bond Tracy Redies	3:30-4:15pm	Summit A
Housing/Mental Health/Opioids	Todd Stone Jane Thornthwaite	4:30-5:15pm	Summit A

On Friday, September 14 we will be hosting the Official Opposition Breakfast at the Hilton Whistler in the Mount Currie Ballroom for all delegates from 6:30am to 7:55am and I invite you to join us for a hot breakfast to continue the conversation with our Caucus Members.



# LEGISLATIVE ASSEMBLY

of BRITISH COLUMBIA

Serving as an MLA for the past five years, I have developed tremendous respect for the work of local governments. The passion you have for bettering your communities is inspiring. Local governments are often thought of as the “boots on the ground” when it comes to government interaction with our shared constituents. While times of crisis allow you to demonstrate the responsiveness and flexibility of your governments, your consistent and reliable delivery of services such as water, solid-waste collection, and arts and recreation programs, are essential to the quality of life we all enjoy as BC residents. It is my job to ensure you are receiving the necessary Provincial resources and supports to continue to provide these quality-of-life services to your residents.

In the spirit of this year’s convention theme of *Communication, Collaboration and Cooperation*, I hope each of you will take the time to meet with me and my caucus colleagues during the UBCM Convention so we can connect directly, learning of your greatest needs and opportunities. Solutions are possible when we work together towards creative and positive outcomes for our communities.

Sincerely,

Todd G. Stone, MLA  
Official Opposition Critic for Municipal Affairs



August 15, 2018

Attention: Resort Municipality of Whistler – Legislative Services Department:

Proclamation Request for: ***Whistler Active Seniors Day – October 1<sup>st</sup>***

---

We are hopeful Mayor and Council members will consider approving the attached proclamation of an annual Seniors Day which aligns with Federal Government annual – National Seniors Day.

For our socially vibrant community, there are many community organizations working together to benefit the “active seniors” demographic of local residents and tourism visitors.

On behalf of the Whistler Mature Action Community [www.whistlermac.org](http://www.whistlermac.org) we are writing to review any questions towards obtaining proclamation of this important annual recognition.

If possible – we would appreciate the Mayor or a Council member to attend: October 1, 2018 event at the Whistler Tennis Club to be a part of the official opening ceremony (doors open at 12 Noon with official opening ceremony starts at 12:30 pm)

Contact Name: Kathy White, Vice Chair – Whistler MAC Phone: 1-604-616-6933

Email: [whistlerkw@gmail.com](mailto:whistlerkw@gmail.com)

Whistler MAC mailing address: P.O. Box 913, Whistler, BC V0N 1B0

-----Original Message-----

From: Chris Ford [REDACTED]

Sent: Friday, August 17, 2018 13:04

To: Cathy Jewett <[cjewett@whistler.ca](mailto:cjewett@whistler.ca)>; Jack Crompton <[jcrompton@whistler.ca](mailto:jcrompton@whistler.ca)>; Sue Maxwell <[smaxwell@whistler.ca](mailto:smaxwell@whistler.ca)>; Jen Ford <[jford@whistler.ca](mailto:jford@whistler.ca)>; Steve Anderson <[sanderson@whistler.ca](mailto:sanderson@whistler.ca)>; John Grills <[jgrills@whistler.ca](mailto:jgrills@whistler.ca)>; Wanda Bradbury <[WBradbury@whistler.ca](mailto:WBradbury@whistler.ca)>

Subject: Cat 4 water restrictions not being adhered to

Hi Mayor & Council

I ran into an employee from FLOW irrigation at my neighbours property today, testing the irrigation system. I asked if he was shutting it off and he said no, they cannot shut off systems without the owner's consent. They have reached out to owners but have not been able to reach many or had no response. I called Bylaws and they stated they cannot do anything about it if they cannot reach the owners. There is a flaw in the process for implementing the advisor whereby it's meaningless for those owners that use the most water. I would suggest you have some mechanism to force the irrigation companies to assist with compliance without the risk of litigation from owners. If the advisory is a "suggested best practice" that's fine but where full time residents are easily targeted and absentee owners are "off the hook" does not seem fair. If it's a serious issue, please instruct staff to deal with it accordingly.

Regards,

Chris Ford

[REDACTED]  
Whistler  
[REDACTED]



August 20, 2018

Mayor and Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC  
V0N 1B6

Re: Light up in blue for Prostate Cancer Awareness

BC is lighting up in blue on September 9, 2018 for Prostate Cancer Awareness month.

1 in 7 men are diagnosed with Prostate Cancer, Prostate Cancer is the #1 cancer in men. We are asking all major landmarks and cities in BC to join us and light up in blue on September 9<sup>th</sup> to show support for the men in BC. Please join us!

Kindest Regards

Shelley Werk  
Donor Relations  
Prostate Cancer Foundation BC



## Landmark Lighting Request Form

Please complete the form and scan/email to [corporate@whistler.ca](mailto:corporate@whistler.ca).

This application does not guarantee that your event lighting request will be approved or your date is available.

We will contact you to confirm the status of your request.

<b>Contact Name</b>	Shelley Werk
<b>Organization</b>	Prostate Cancer Foundation BC
<b>Business Address</b>	#4-17918 55th Ave.
<b>City/Province/Postal Code</b>	Surrey BC V3S 6C8
<b>Business Phone Number</b>	604 574-4012
<b>Business Email</b>	prostatebc@telus.net
<b>Website Address</b>	www.prostatecancerbc.ca
<b>Brief description of the event associated with your request</b> <i>(Information here will be used for communications and the sign on the bridge. Max 75 words. RMOW will edit copy if necessary.)</i>	September is Prostate Cancer Awareness Month and we are asking all major landmarks and cities in BC to light up in blue for Sept. 9, 2018. Any other day in Sept is fine as well but the majority is Sept. 9.
<b>Optional: Social Media Campaign Title</b> <i>(include hashtags)</i>	
<b>Landmark Choice</b>	<input checked="" type="checkbox"/> Fitzsimmons Covered Bridge
<b>Date of Event</b>	Sept. 9, 2018
<b>Colour Request</b>	Blue

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Shelley Werk*  
*Aug. 20, 2018*

**From:** Lindsay MacLeod [<mailto:events@bccerebralpalsy.com>]  
**Sent:** Wednesday, August 22, 2018 14:11  
**To:** Wanda Bradbury <[WBradbury@whistler.ca](mailto:WBradbury@whistler.ca)>  
**Subject:** Landmark Lighting Request - Cerebral Palsy Association of BC

The Cerebral Palsy Association of BC would like to request that Town Plaza Gazebo be lit up green for World Cerebral Palsy Day, October 6, 2018. Green is the official colour of cerebral palsy, and reflects the concept of "growth". We would like to see as many places as possible around the province light up green to educate and bring awareness to what cerebral palsy is and we hope your city will take part!

Cerebral palsy (CP) affects body movement and muscle coordination, is not hereditary nor contagious but is a life-long condition. There are currently 17 million people worldwide who live with it. In 2015 the City of Vancouver recognized World CP Day with an official proclamation presented by Deputy Mayor Andrea Reimer and by lighting up Vancouver City Hall in green.

I've also included some information about CP, our charity and World CP Day below.  
Let me know if there's anything more you need,

Looking forward to hearing from you!  
Sincerely,  
*Lindsay Macleod*  
*Events and Development Coordinator*

### **About Cerebral Palsy**

Cerebral palsy is the most common childhood physical disability (affecting an average of one in every 500 people). There are around 10,000 people living with CP in BC, as well as their family members who devote their lives to the care of their loved ones, and the many doctors and therapists involved in the diagnosis and treatment of CP.

### **Cerebral Palsy Association of BC**

The Cerebral Palsy Association of British Columbia was started in 1954 by a group of parents who wanted to assist their children living with cerebral palsy to reach their maximum potential within society. Today we are an independent charitable organization governed by a volunteer Board of Directors. We provide support, education, and information throughout BC. Our mission is:

- To raise awareness of cerebral palsy in the community;
- To assist those living with cerebral palsy to reach their maximum potential; and
- To work to see those living with cerebral palsy realize their place as equals in a diverse society.

### **World CP Day**

World Cerebral Palsy Day is a movement of people with cerebral palsy and their families, and the organisations that support them, in more than 50 countries.

More than just an awareness day, World CP Day is an opportunity to:

1. Celebrate and express pride in the lives and achievements of those with CP and the people and the organisations that support them
2. Create a powerful voice for those with CP to change their world



3. Connect organisations across the globe so they are better equipped to meet the needs of those with CP
4. Create new solutions to everyday problems
5. Act as a catalyst for social change and education campaigns that create solutions to universal challenges
6. Produce tangible, actions and outcomes that measurably improve the lives of those with CP
7. Raise awareness of CP and the issues that affect people with CP at a local, national and international level to create more inclusive societies.

Our vision is to ensure that children and adults with cerebral palsy have the same rights, access and opportunities as anyone else in our society.

From Nigeria to the Netherlands, Ireland to Indonesia, Pakistan to Poland, people with CP and their families have powerful stories to tell. These stories of challenge and success are the foundation of our community and global movement for change.

### **Tell the World “I Am Here”**

For World CP Day 2016, you’re invited to join us on the World CP Day map! We want to hear your story. Share a few words, a photo and your location. All welcome – people with CP, families, friends, therapists, teachers, researchers, supporters and organisations. Join the map at: [www.worldcpday.org](http://www.worldcpday.org)

Thank you!



Lindsay Macleod  
*Events & Development Coordinator*

#### **Cerebral Palsy Association of British Columbia**

Recipient of City of Vancouver 2013 Access & Inclusion Award, Organization Category

330-409 Granville Street, Vancouver, BC V6C 1T2

[Tel:604-408-9484](tel:604-408-9484) / 1-800-663-0004 (toll-free)

Fax:604-408-9489

[www.bccerebralpalsy.com](http://www.bccerebralpalsy.com)

[events@bccerebralpalsy.com](mailto:events@bccerebralpalsy.com)





## Landmark Lighting Request Form

Please complete the form and scan/email to [corporate@whistler.ca](mailto:corporate@whistler.ca)

This application does not guarantee that your event lighting request will be approved or your date is available. We will contact you to confirm the status of your request.

Contact Name	Lindsay Macleod
Organization	Cerebral Palsy Association of BC
Business Address	330-409 Granville St
City/Province/Postal Code	Vancouver BC V6C 1T2
Business Phone Number	604 408 9484
Business Email	<a href="mailto:events@bccerebralpalsy.com">events@bccerebralpalsy.com</a>
Website Address	<a href="http://bccerebralpalsy.com/">http://bccerebralpalsy.com/</a>
Brief description of the event associated with your request (Description information will be used for communications. Max 75 words. RMOW will edit copy if necessary.)	<p>October 6<sup>th</sup> is World Cerebral Palsy Day. This day is more than just an awareness day, World CP Day is an opportunity to:</p> <ol style="list-style-type: none"><li>1. Express pride in the lives and celebrate the achievements of those living with cerebral palsy, the people and the organizations that offer support</li><li>2. Create a powerful voice for those with CP to live a life without limits</li><li>3. Connect organizations across the globe so they are better equipped to meet the needs of those with CP</li><li>4. Assist those living with cerebral palsy to reach their maximum potential</li><li>5. To work to see those living with cerebral palsy realize their place as equals in a diverse society</li></ol>
Optional: Social Media Campaign Title (include hashtags)	#worldcpday #wearehere
Landmark Choice (Only Fitzsimmons Bridge offers sign allocation)	<input type="checkbox"/> Fitzsimmons Covered Bridge <input type="checkbox"/> Village Gate Inuksuk <input checked="" type="checkbox"/> Town Plaza Gazebo
Date of Event	October 6 <sup>th</sup> , 2018
Colour Request	Green

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*[Handwritten Signature]*  
August 20 2018



*28th August, 2018*

Resort Municipality of Whistler

4325 Blackcomb Way

Whistler, B.C. V0N 1B4

**RE: Climate accountability**

Dear Mayor and Council,

My Sea to Sky, the Association of Whistler Area Residents for the Environment (AWARE) and many other community groups are currently working with West Coast Environmental Law (WCEL) on their Climate Accountability campaign, to hold the world's fossil fuel polluters accountable for their role in causing climate harm to our communities. By doing so we can:

- ensure that taxpayers are not the only ones on the hook for the ever-rising costs of preparing for (and recovering from) the impacts of climate change;
- impact the global fossil fuel companies that are contributing most to climate change, and their investors, giving them an incentive to move towards a more sustainable economy; and
- generate a conversation about the role of the fossil fuel industry in harming the health and economies of our communities and shift support to alternative restorative solutions.

Communities across British Columbia are committing to hold fossil fuel polluters accountable by sending climate accountability letters to twenty of the world's largest fossil fuel companies, asking them to pay their fair share for climate costs that are being incurred by each community.

We wanted to ensure Mayor and Council were apprised of the efforts underway as the Association of Vancouver Island and Coastal Communities (AVICC) has forwarded a resolution on Climate Accountability to be considered at the upcoming Union of BC Municipalities (UBCM), for which Whistler is the host community. We believe this is an opportunity for climate advocacy as called for in the implementation approach in the Community Energy and Climate Action Plan.

We would request that Mayor and Council review the attached information regarding the Climate Accountability campaign and hope that:

- Whistler will support the resolution on Climate Accountability at UBCM; and that
- the Resort Municipality of Whistler will join this initiative and send climate accountability letters<sup>1</sup>.

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<sup>1</sup> Letters can be customized to specifically address the climate impacts that Whistler is currently planning for, such as changes to precipitation and snowfall, wildfire risk, increased flooding, and local impacts to wildlife and can include the specific steps the municipality is taking and costs that are being incurred.

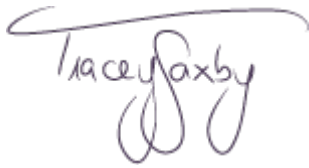
In order to support your decision making please find attached the following resources:

- 1) A brief intro to climate accountability campaign;
- 2) Several example letters that have been sent by other communities;
- 3) A draft climate accountability letter for the Resort Municipality of Whistler;
- 4) More info on the climate accountability campaign is available online here:  
<https://www.wcel.org/program/climate-law-in-our-hands>

If you have any questions, or wish for support in drafting a climate accountability letter, please feel free to contact us on the numbers below.

We look forward to your response.

Sincerely,



**Tracey Saxby**  
**Co-Founder and Executive Director**  
**My Sea to Sky**  
Email: [tracey@myseatosky.org](mailto:tracey@myseatosky.org)  
[Redacted]



**Claire Ruddy**  
**Executive Director**  
**AWARE**  
Email: [cruddy@awarewhistler.org](mailto:cruddy@awarewhistler.org)  
[Redacted]



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# CLIMATE ACCOUNTABILITY LETTERS

## AN INTRODUCTION FOR LOCAL GOVERNMENTS

Andrew Gage, Staff Counsel

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“Wildfires. Drought. Flooding. Rising sea levels. Climate change is already reshaping and impacting BC communities in profound and frightening ways. As unchecked fossil fuel pollution continues to push global temperatures ever higher, we are frightened for our communities, for communities around the world, and for the world we leave our children. Vulnerable groups - the poor, Indigenous communities, women and children - are often hardest hit by climate impacts.” – Letter from BC Community Groups to Local Governments, 25 January 2017

On 25 January 2017, over 50 community groups from around BC – organizations focused on health, faith, human rights and environment – wrote to all of BC’s local governments asking that they take action to hold the fossil fuel industry accountable for its role in causing climate change and in the climate costs being caused by fossil fuel pollution.

In the short term, we are asking your municipality (or regional district) to send “Climate Accountability Letters” to 20 of the world’s largest fossil fuel companies asking them to pay for climate costs that are being incurred by your community. This brief will answer some questions that you may have about why your community should send these letters.

### Why does it matter to your community?

All our communities are facing a rising tide of costs, debt and claims for disaster relief arising from the many effects of climate change. With more frequent wildfires, 100-year storm events now coming every 25 years, snowpacks and aquifers disappearing, our communities are spending scarce taxpayer dollars to prepare for and respond to climate change. The situation is only going to get worse.

As it stands, the costs of building climate resilient communities fall to the taxpayer, as do the costs of re-building communities after floods or fires. Municipal governments bear much of the burden for these climate costs, because municipal infrastructure is frequently affected. In at least one case, municipalities in the U.S. were sued (by their insurers) for failing to prepare adequately for known climate impacts.<sup>1</sup>

It is time to ask whether taxpayers alone should be solely responsible to pay climate adaptation and damage costs, or whether costs should be shared with the companies that have made billions of dollars creating this situation. The products and operations of the **20 fossil fuel companies** are collectively responsible for roughly 30% of the greenhouse gases in the atmosphere today. That greenhouse gas pollution is changing the climate, and costing your community money as it is forced to respond and adapt.

It is essential that we have this conversation now. Communities need to know how much they can expect the fossil fuel industry to pay for their climate costs. The fossil fuel industry and its investors need to be able to make informed decisions about the future of the industry once they factor in the real costs of their activities.

## Why does it matter to our planet?

Fighting climate change only works when everyone does their fair share. We all share the same precious atmosphere.

Right now the world's largest fossil fuel companies are making hundreds of billions of dollars from products that cause greenhouse gas pollution and put communities around the world at risk. There are powerful economic incentives for those companies, their investors and the governments of the world to continue producing fossil fuels without regard to the consequences for our planet. In many cases these companies have known since the late 1960s that their products were likely causing climate change. Since that time many have funded climate misinformation and lobbied hard against global rules that would protect our communities from climate change.

When companies make massive profits from pollution and products that cause pollution, this is known as an “externality.” It creates an economic system where some parties make money while the rest of us pay for the harm that they cause. Conversely, when companies are made to pay for the harm they cause, they, and their investors and governments, will start to have questions about the profitability of the industry.

Our efforts to reduce the greenhouse gases of our own communities (or even our own country) will only be a small drop in the global bucket. But if our communities demand accountability from **global** fossil fuel companies, the industry will finally have an incentive to stop opposing climate action – or, better yet, to start working for a sustainable future.

## What is a Climate Accountability Letter?

A Climate Accountability Letter is a letter written by the representatives of a community to a fossil fuel company asking them to be accountable for the harm caused to that community by their operations and products. These letters are extremely flexible. A community can decide which climate impacts they wish to highlight, whether to demand that the company pay its fair share of current, or future, climate impacts or demonstrate its accountability in some other way.

We provide templates for accountability letters for your community to adapt on the climate law in our hands website.<sup>ii</sup> We also provide a spreadsheet with the addresses and share of global greenhouse gas emissions of 20 of the world's largest fossil fuel companies.

## Is this within local government jurisdiction?

Municipalities and regional districts are incurring and will continue to incur costs related to climate change. Prudent management of their financial resources requires local governments to at least consider the possibility that some of those costs can be recovered from fossil fuel companies and, if appropriate, to take steps to do so.

One of the purposes of municipalities (according to the BC Community Charter) is “fostering the economic, social and environmental well-being” of the community – so Council also has a clear mandate to play its part in addressing climate change globally.

## **Why target fossil fuel companies?**

Some argue that we're all responsible for climate change, but if so, surely we can agree that some of us are more responsible than others?

In 2013 a peer-reviewed paper "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010"<sup>iii</sup> estimated the emissions from the operations and products of 90 entities – primarily fossil fuel companies. Just 20 of those fossil fuel companies – the 20 that we are asking you to write to – are responsible for almost 30% of the fossil fuels in the global atmosphere today.

But for the actions of these companies in extracting fossil fuels from the ground, and (in many cases), processing, transporting, marketing, and selling them for use by end consumers, these emissions would not have

ended up in our atmosphere. That's doubly true if you consider the impact of some of these companies in lobbying against action on climate change and in funding public misinformation on climate science. Had these companies acted, when they learned of the science of climate change in the 1960s, to shift the economy towards renewable energy, we would live in a very different, and more sustainable, society.

In addition, a focus on local impacts caused by fossil fuel companies creates new opportunities for local communities to have a global impact. Rather than focusing only on reducing the comparatively small amounts of greenhouse gases created in our own communities, we can also have a conversation about 30% of global emissions.

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## **Shouldn't the Canadian (or BC) government be taking action?**

Yes, of course all levels of government should be taking action to fight climate change. But the Canadian and BC governments still rely on the fossil fuel industry in many ways – from campaign contributions to hopes of economic growth.

The fact that the senior levels of government have not yet taken action to hold fossil fuel polluters accountable does not mean that local governments cannot take action to recover their own climate costs. Indeed, a community concerned about local costs of climate change may be more willing to show leadership to protect its residents and environment, and may be more willing to

have a discussion about the role of the fossil fuel industry in contributing to those costs.

Sometimes when people look to the provincial or federal governments for climate leadership, they are looking for regulation of sources of greenhouse gases. While such regulation is important, such laws can only regulate emissions or other activities that take place in Canada (or in BC). The claims for compensation related to climate accountability that we recommend use legal tools that can cross borders and address global sources of emissions.

### **Do you drive cars (or use gas)?**

In response to the 25 January 2017 letter, three mayors independently wrote to us with variations on the message that if we use fossil fuels, we cannot ask for the fossil fuel industry to be held accountable.

We are not denying that individuals play a role in reducing their own greenhouse gas emissions (while recognizing that the options available to individuals to entirely eliminate their fossil fuel use in today's society are limited). Nor are we suggesting that fossil fuels could be eliminated tomorrow.

What we are suggesting is that the responsibility of fossil fuel companies is at least as great as that of the individual, and they should pay their fair share of the costs. We are further suggesting that once the industry realizes that it may be required to pay its fair share, there will be a powerful incentive for the system to change – creating more options for individuals seeking to reduce their greenhouse gas emissions. This is a crucial step in helping society as a whole move away from gas-powered vehicles (and uses of fossil fuels involving combustion).

In the fight to phase out ozone-destroying HFCs, no one ever told those concerned about the ozone layer: “Yeah, but do you own a refrigerator?”

### **Am I signing up for a lawsuit?**

By sending Climate Accountability Letters, your community is simply initiating a conversation, not a lawsuit, about the role of the fossil fuel industry in causing climate harm to your community.

In the 25 January 2017 letter sent to your government, we did also encourage you to consider the possibility of a class action by all BC local governments against some fossil fuel companies. However, sending letters to the fossil fuel companies does not commit your government to participate in or support such a court case.

If your community is interested in exploring the possibility of a lawsuit against the fossil fuel industry, please do contact us for more information.

### **How do I find out more?**

Contact Andrew Gage at [agage@wcel.org](mailto:agage@wcel.org) or 250-412-9784 or learn more on the Climate Law in our Hands initiative website at [www.climatelawinourhands.org](http://www.climatelawinourhands.org).

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<sup>i</sup> <http://www.eenews.net/stories/1059999532>; The insurance company subsequently dropped the lawsuit, but the case stands as a warning to local governments that fail to prepare for climate change.

<sup>ii</sup> [www.climatelawinourhands.org/demand-accountability](http://www.climatelawinourhands.org/demand-accountability)

<sup>iii</sup> Heede, R. "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010" *Climatic Change* (2014) 122: 229. doi:10.1007/s10584-013-0986-y





## TOWN OF VIEW ROYAL

45 View Royal Avenue, Victoria, BC, Canada V9B 1A6

Ph. 250-479-6800 • Fx. 250-727-9551 • E. [info@viewroyal.ca](mailto:info@viewroyal.ca) • [www.viewroyal.ca](http://www.viewroyal.ca)

January 26, 2018

Royal Dutch Shell plc  
Attn: CEO  
PO Box 162 2501 AN  
The Hague  
The Netherlands

Dear Sirs/Mesdames:

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**Re: View Royal's Climate Costs and Royal Dutch Shell plc's Fair Share**

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We write as the Mayor and Council of the Town of View Royal, on southern Vancouver Island, Canada, to ask about your company's willingness to take responsibility for climate costs associated with the use of your product.

Our Official Community Plan, adopted in September 2011, recognizes that the impacts of climate change must be a "key determinant" in our community's planning:

Consider the impacts of climate change as a key determinant in community planning and land use management decisions.<sup>1</sup>

This commitment recognizes that decisions made now, and infrastructure designed and built now, need to consider not just our current climate, but also climate for the next 20-50 or more years. We are increasingly having to prepare our community for progressively more serious impacts of climate change, and build resilient infrastructure that can withstand an increasing range of climate impacts.

As a coastal community we are concerned about rising sea-levels. Our community is bordered on two sides by tidal waters (Esquimalt Lagoon and the Gorge Waterway), and we have low-lying land on both sides. Increased winter precipitation is impacting our roads and stormwater management, while summer drought over the past several years has affected our residents.

Planning for and addressing these impacts brings real costs for us as a municipality. Costs like these will only rise as global temperatures increase.

Fossil fuel pollution is the largest cause of climate change and these new risks and costs facing our community. We live in a society which is very fossil dependent, and we recognize

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<sup>1</sup> View Royal Official Community Plan, September 2011

our role in that, even as we strive to reduce our dependence. We know that we will end up paying for our share of the costs of climate change.

At the same time, we hope that you will recognize that you too must take responsibility for your company's role in causing climate change – particularly given the considerable profits that you have made as a result of selling fossil fuels. Your industry has known for decades that your products would compromise the global health of the atmosphere and would create risks to communities around the world. During that time you have continued marketing your products, and have not aggressively moved to a different, more sustainable business model.

Just as other industries take cradle-to-grave responsibility for their products, we believe it is only fair that you commit to pay a share of the costs resulting from climate change being borne by View Royal and other communities like ours.

It has been estimated that the emissions from your products and operations amount to fully 2.06% of historic human-caused greenhouse gas emissions,<sup>2</sup> and we suggest that this figure is a reasonable basis for estimating your company's fair share of costs incurred due to climate change. If you feel that another figure is more appropriate, we would invite you to tell us what proportion you believe is your fair share, and why.

We expect your industry to take cradle to grave responsibility for your product – and that starts by taking responsibility for its effects in the atmosphere and the resulting harm to communities.

In addition, we look forward to hearing what steps you plan to take to reduce or eliminate the future impacts of your company's products on our community.

Sincerely,

A handwritten signature in cursive script that reads "David Screech". The ink is dark and the signature is fluid, with a long, sweeping underline that extends to the right.

David Screech  
Mayor

cc     Honourable George Heyman, Minister of Environment & Climate Change Strategy,  
         Province of British Columbia  
         Honourable Catherine McKenna, Minister of Environment & Climate Change,  
         Government of Canada

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<sup>2</sup> Heede, R. "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010" Climatic Change (2014) 122: 229. doi:10.1007/s10584-013-0986-y, updated to 2013 at [http://climateaccountability.org/carbon\\_majors\\_update.html](http://climateaccountability.org/carbon_majors_update.html), last accessed 31 October 2017.



File: 5280.30

June 30, 2017

Chevron  
6001 Bollinger Canyon Road  
San Ramon CA 94583  
USA

Attn. CEO of Chevron

Dear Sirs/Mesdames:

**Re: Chevron Fair Share of Climate Costs in Highlands, BC, Canada**

We write as the Mayor and Council of the District of the Highlands, a municipality on the south end of Vancouver Island. Like other communities around the world, we are increasingly concerned about the harmful effects that climate change will have on our community and on other communities around the world.

We are being forced to prepare for progressively more serious impacts. We are already facing increased fire risk, summer droughts (most of our residents' are on wells) and extreme winter rain events. Increased winter precipitation is impacting our roads and stormwater management and increasing our costs as a local government. A coastal community, we are concerned about rising sea-levels and coastal erosion as well, although most of our lands are well above sea-level.

We expect the climate-costs facing our community to rise as global temperatures increase and as we examine how best to help our residents withstand the current and expected impacts. Climate change – as a result of fossil fuel pollution – is now inevitable, and growing more severe as you continue to market your products without aggressively moving to a different, more sustainable business model. Because of this pollution, we need to plan for and adapt to ongoing changes in our local climate, caused by rising global temperatures, so as to avoid future economic and other impacts of climate change on our District.

As we move forward with preparing our community and infrastructure for climate change, we will be incurring additional costs and inconvenience as a result of the increased severity of climate change attributable to your products and operations.



1980 Millstream Road, Victoria, B C V9B 6H1  
Tel: 250-474-1773 Fax: 250-474-3677 Web: [www.highlands.ca](http://www.highlands.ca)

While we recognize that individual consumers, and our community, do play a role in the fossil fuel economy, your company has had the power to lead the transition away from that economy, but has instead profited to the tune of many billions of dollars from products that you have known, or should have known, would harm our communities.<sup>1</sup> You cannot make billions of dollars selling your product, knowing that it is causing significant financial harm to communities around the world, and not expect to pay at least some of that harm.

All communities will expect you to pay your fair share of the costs associated with preparing the Highlands for climate change. It has been estimated, by the source noted below, that the emissions from those products and operations amount to fully 3.34% of historic human-caused greenhouse gas emissions,<sup>2</sup> and we suggest that this figure is a reasonable basis for estimating your company's fair share of costs incurred due to climate change.

We expect your industry to take cradle to grave responsibility for your product – and that starts by taking responsibility for its effects in the atmosphere and the resulting harm to communities. In addition, we would like to hear what steps you plan to take to reduce or eliminate the future impacts of your company's products on our community.

We know that our community will end up sharing some of the costs of climate change, even if you and other fossil fuel companies do pay your fair shares. These would include costs that cannot be recovered. We will do our part to minimize those costs and impacts, and we look forward to your confirmation that you will do your part as well.

Sincerely,

Original Signed

Ken Williams  
Mayor

---

<sup>1</sup> <https://www.smokeandfumes.org/fumes>, last accessed 23 September 2016.

<sup>2</sup> Heede, R. "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010" *Climatic Change* (2014) 122: 229. doi:10.1007/s10584-013-0986-y, updated to 2013 at [http://climateaccountability.org/carbon\\_majors\\_update.html](http://climateaccountability.org/carbon_majors_update.html), last accessed 23 September 2016.





**The Corporation of the District of Saanich | Mayor's Office**

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | [www.saanich.ca](http://www.saanich.ca)

October 3, 2017

Chevron  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

Dear Sir/Madam:

**Re: Fossil Fuel Industry Climate Accountability**

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We write as the Mayor and Council of the District of Saanich, a municipality of 114,000 residents on the south end of Vancouver Island in British Columbia, Canada. Like other communities around the world, we are concerned about the increasingly harmful effects that climate change is having on our district, region and global community and the lack of accountability by the fossil fuel industry for their actions contributing to it.

Over the last decade, Saanich has been recognized as a leader for our consistent approach to greenhouse gas (GHG) emission reductions, contributing to the climate action culture now established in our community. This is evident through the adoption of our Climate Action Plan<sup>1</sup>, targets to achieve a 33% reduction in community GHG emissions by 2020 and an 80% reduction in community GHG emissions by 2050 (from 2007 levels) and the recent motion to become a 100% Renewable Energy community by 2050.

The Climate Action Plan includes a framework and strategies to move towards the 2020 targets and great progress has been made over the last decade as the District, local businesses, non-profits, community groups and residents implement projects, sometimes with funding support from the provincial and federal governments and local utility companies (BC Hydro and FortisBC). These projects have ranged from the installation of bike lanes and electric vehicle charging infrastructure, to residential organics collection and composting; from expanding community gardens and farmers markets supporting food security and local food production, to Passive House developments and building energy efficiency upgrades.

Despite this, climate change, as a result of fossil fuel pollution, is still inevitable and growing more severe as fossil fuel companies continue to market their products without aggressively moving to a more sustainable business model or paying for the impacts and full costs of climate change.

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<sup>1</sup> District of Saanich (2010) *Climate Action Plan*. Available at:  
<http://www.saanich.ca/assets/Local-Government/Documents/Corporate-and-Annual-Reports/2010-climate-action-plan-web.pdf>



In 2011, we adopted our Climate Adaptation Plan<sup>2</sup>, which identified 87 prioritized actions to address the projected impacts of climate change and increase the resiliency of our community. The key challenge has been finding the required funding and resources to implement the identified work. Despite recognition of the value and urgency of climate adaptation measures (including research to identify the projected climate impacts and then planning and implementing the strategies to address them), municipal resources are insufficient to address the community needs, even with potential support from provincial and federal grants and utility rebates.

Since adoption of the Climate Plans, climate research has progressed, as have the climate changes impacting our global and local community. Increasingly extreme weather events are not only experienced around the world but in our own community. This summer has seen record breaking temperatures for British Columbia and the Victoria Region<sup>3</sup>, contributing to extensive wildfires, resulting in air pollution and strain on our water sources. 2017 also saw severe winter storms and snowfall with additional costs for snow removal, wastewater overflows and localized flooding, a greater burden on our emergency services and an impact to local businesses.

The Capital Regional District (CRD) recently presented an updated Climate Projections report<sup>4</sup> for our region. The study projects a considerable change to our local climate including triple the number of summer days above 25°C, a considerable increase in the length of dry spells in summer and increasingly extreme flooding events by the 2050's. These projections will have significant implications for our building stock requirements, cooling needs, storm water management, water supply and agricultural sector as well as both our future emissions and need for climate change adaptation measures.

These impacts are not only fiscal, but also social, environmental and economic. Extreme summer heat impacts our residents, particularly the more vulnerable members of our community who may be more susceptible to the health impacts associated with extreme heat, air pollution from forest fires or less able to install and pay for air conditioning. It impacts our local farming economy, which may benefit from longer growing seasons, but may struggle with limited water resources. And, it impacts our environment and ecosystem; from tidal impacts and water erosion at our parks to damage and disease of our urban forest due to increased storm events and destruction of habitat due to wildfires.

As such, we are being forced to prepare for increasingly serious impacts of climate change and have a responsibility to our citizens to ensure that our infrastructure and services are developed and maintained in ways that will be able to withstand the "new normal" that climate scientists have predicted for our region. We expect climate-costs facing our community to rise as global temperatures increase and as we examine how best to help our residents withstand the current and expected impacts.

More research is needed to fully evaluate and quantify the actions required to prepare for these expected climate changes. However, as a starting point, the actions outlined within the Saanich Climate Change Adaptation Plan require considerable resources and funding to implement. Some examples include the costs for increased drainage infrastructure, investment in habitat and ecosystem restoration, building energy upgrades, building drainage and cooling retrofit programs, emergency management programs, emergency

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<sup>2</sup> District of Saanich (2011) *Climate Adaptation Plan*. Available at: <http://www.saanich.ca/assets/Local~Government/Documents/Corporate~and~Annual~Reports/Climate%20Change%20Adaptation%20Plan.pdf>

<sup>3</sup> [https://weather.gc.ca/warnings/weathersummaries\\_e.html](https://weather.gc.ca/warnings/weathersummaries_e.html)

<sup>4</sup> Capital Regional District (2017) *Climate Projections for the Capital Region*. Available at: [https://www.crd.bc.ca/docs/default-source/climate-action-pdf/reports/2017-07-17\\_climateprojectionsfortheCapitalRegion.pdf?sfvrsn=bb9f39ca\\_10](https://www.crd.bc.ca/docs/default-source/climate-action-pdf/reports/2017-07-17_climateprojectionsfortheCapitalRegion.pdf?sfvrsn=bb9f39ca_10).

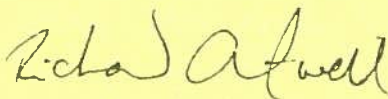
water conservation measures, development of rainfall design criteria, design of risk management approaches and robust climate adaptation tools, vulnerability assessments, policy and guideline development, public awareness campaigns and engagement, further research, monitoring and reporting.

While we recognize that individual consumers in our community do play a role in the fossil fuel economy, this role has, in large part, resulted from a lack of citizen knowledge, industry transparency and full-cost accounting related to the considerable negative impact of the use of fossil fuels. Your industry has been aware of the role of fossil fuels in causing climate change and the associated impacts on our communities for decades<sup>5</sup> and, as such, has had the power to lead the transition away from that economy. Instead, Chevron has continued to market fossil fuels and foster uncertainty around their negative impact, which has delayed the transition to a carbon free economy<sup>6</sup>.

As a municipality, we expect you to pay your fair share of the costs associated with preparing our community for climate change. It has been estimated that the products produced by Chevron amount to fully 3.34%<sup>7</sup> of historic human-caused GHG emissions, and we suggest that this figure is a reasonable basis for estimating Chevron's share of the costs Saanich bears to adapt to climate change. In addition, we would like to hear the actions you will take to eliminate the future negative impact of your company's products on our community.

There will be additional costs of climate change that cannot be prevented through adaptation measures and which our community will have to shoulder. However, we know that by planning for and adapting to climate change now, we can reduce these future economic, social and environmental impacts. We are committed to doing our part as the District of Saanich to minimize those costs and impacts and we look forward to your confirmation that you will support our community in their efforts and pay the share of the costs for which you are accountable.

Yours truly,



Richard Atwell  
Mayor, District of Saanich

RN/sd

cc. Council

Paul Thorkelsson, Chief Administrative Officer

Angila Bains, Legislative Manager

Honourable Catherine McKenna, Minister of Environment and Climate Change

Honourable George Heyman, BC Minister of Environment and Climate Change Strategy

Robert Lapham, Chief Administrative Officer, Capital Regional District

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<sup>5</sup> Robinson, E., & Robbins, R.C. (1968). *Sources, abundance, and fate of gaseous atmospheric pollutants. Final report and supplement to the American Petroleum Institute*. United States: Stanford Research Institute. Available at: <https://www.osti.gov/scitech/biblio/6852325>, last accessed 11 September, 2017.

<sup>6</sup> Mulvey, K., & Shulman, S. (2015). *The Climate Deception Dossiers: Internal Fossil Fuel Industry Memos Reveal Decades of Corporate Disinformation*. Union of Concerned Scientists. Available at: <http://www.ucsusa.org/global-warming/fight-misinformation/climate-deception-dossiers-fossil-fuel-industry-memos#.WbcomrKGNuQ>, last accessed 11 September, 2017.

<sup>7</sup> Heede, R. (2014). Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010. *Climatic Change*, Volume 122, Issue 1-2, pp229-241. Available at <https://link.springer.com/article/10.1007%2Fs10584-013-0986-y>, last accessed 11 September, 2017.





Chevron  
6001 Bollinger Canyon Road  
San Ramon, CA 94583  
USA

November 28, 2017

Attn. CEO of Chevron

Dear Sirs/Mesdames:

As Mayor and Council of the City of Victoria, in British Columbia, we are writing to secure your commitment to pay your fair share of the costs of climate change that face our community. Climate change is the direct result of pollution caused by the burning of fossil fuels, including from your products.

We are beginning to see the impacts of climate change directly affect our region and the infrastructure and services that we provide as a local government to our residents (detailed below). It would be financially irresponsible of us to assume that our taxpayers will bear the full costs of these impacts of fossil fuel pollution, while your shareholders continue to benefit financially from the sale of fossil fuels.

We know that individual consumers, and our community members, use fossil fuels. However, your industry has played a large role in creating the risks and costs that we now face as a community. Your company has made many billions of dollars from products that you presumably knew would harm our communities.<sup>1</sup> You have had the power to move your company towards a more sustainable business model since you first became aware of the impacts of climate change, decades ago, but have not done so. You cannot make billions of dollars selling your product, knowing that it is causing significant financial harm to communities around the world, and not expect to pay for at least some of that harm.

When James Douglas of the Hudson's Bay Company selected the southern tip of Vancouver Island as the site of Fort Victoria, the region's Garry Oak meadows reminded him of the cultivated fields of England. He didn't realize at the time that this unique ecosystem had been managed for thousands of years by the Songhees and Esquimalt First Nations, who harvested Camas bulbs from the meadows as an important food source.

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<sup>1</sup> <https://www.smokeandfumes.org/fumes>, last accessed 23 September 2016.



The Garry Oak Meadow ecosystem – although unfortunately much diminished and one of the most endangered ecosystems in the world – remains a central feature of the City of Victoria, and we take seriously our responsibility to pass it on to future residents. Numerous studies have shown that that climate change will put that goal at risk<sup>2</sup> – and that our work to ensure that the ecosystem can survive shifts in our regional climate is urgent.<sup>3</sup>

Of course, climate change brings with it other, direct impacts on our infrastructure and services, and on our residents. We offer the example of the Garry Oak Meadow ecosystem to illustrate an important climate impact, and associated costs, that are unique to our region.

In addition, like other coastal communities in BC and around the world, sea-level rise is a serious concern. Our Inner Harbour, a central feature of our downtown, is the point of arrival for many tourists and a source of pride for our residents. For this business and tourism district, higher sea-levels, especially when combined with storm-surge events, will mean huge economic cost. It has been estimated that 1 metre of sea level rise in combination with a storm surge would result potential business disruption losses of Cdn \$415,557 per day (based on annual averages).<sup>4</sup>

Outside of the downtown, much of our coastline is characterized by cliffs, much of it soft and vulnerable to increased coastal erosion. The needed protection efforts will likely result in significant costs to our community.

Drought and increased winter storms associated with climate change are also predicted for our region.

Planning, building and maintaining local infrastructure is made more costly by climate change. Victoria is in the process of developing a Climate Leadership Plan to do our part to reduce greenhouse gas emissions from transportation, buildings and waste. The City is also investing in our own infrastructure to ensure we are able to maintain resilience and adapt to the changing climate and the impacts to our operations, utilities and services. At present we are only beginning to understand the potential magnitude of increased local costs for both climate change mitigation and adaptation. We know that cities didn't cause the climate problem on their own and we can't solve it on our own. And we know that costs will increase as climate change impacts worsen.

As a community Victoria has committed to work towards 100% renewable energy by 2050. We recognize that everyone is going to need to do their part to address climate change. We

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<sup>2</sup> Pellatt MG, Goring SJ, Bodtke KM, Cannon AJ (2012) Using a Down-Scaled Bioclimate Envelope Model to Determine Long-Term Temporal Connectivity of Garry oak (*Quercus garryana*) Habitat in Western North America: Implications for Protected Area Planning. *Environ Manage* 49:802–815; Bachelet D, Johnson BR, Bridgman SD, Dunn PV, Anderson HE, Rogers BM (2011) Climate Change Impacts on Western Pacific Northwest Prairies and Savannas. *Northwest Sci* 85:411–429.

<sup>3</sup> Pellatt, M.G. & Gedalof, Z. *Biodivers Conserv* (2014) 23: 2053. <https://doi.org/10.1007/s10531-014-0703-9>.

<sup>4</sup> AECOM. Capital Regional District: Coastal Sea Level Rise Risk Assessment (Victoria, BC: Capital Regional District, 2015), p. 36.

are asking you to take responsibility for the harm caused by your products and to take action to move to a more sustainable business model.

The peer-reviewed research of Richard Heede reveals that 3.34% of the greenhouse gas emissions already in the global atmosphere originate from your company's operations and products.<sup>5</sup> In our view, this represents your fair share of the costs facing Victoria. Will you confirm that you are willing to pay 3.34% of Victoria's climate-related costs going forward?

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Helps', written over a faint, stylized background graphic of a mountain range.

Lisa Helps  
Victoria Mayor

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<sup>5</sup> Heede, R. Climatic Change (2014) 122: 229. <https://doi.org/10.1007/s10584-013-0986-y>; See also [http://climateaccountability.org/carbon\\_majors\\_update.html](http://climateaccountability.org/carbon_majors_update.html).

To: [INSERT NAME OF FOSSIL FUEL COMPANY]

Dear Sirs/Mesdames:

**Re: Accountability for climate costs in Whistler, BC**

I write on behalf of the Resort Municipality of Whistler to request that [INSERT NAME OF COMPANY], begin taking financial responsibility for the climate-related harm caused in our community by your products.

### **Climate costs in Whistler**

The Resort Municipality of Whistler, in British Columbia, Canada, came into being as a ski destination. As Mayor and Council of the Resort Municipality, we are proud of the many people and businesses who call Whistler home, and of the year-round recreational opportunities that our region offers, but we are known around the world for our snow, skiing, and winter sports.

Shifts in our climate are a huge concern for us. Climate change is expected to increase our winter precipitation, but it is also increasing the temperatures, shortening the ski-season and causing more of that precipitation at the valley level to fall as rain.

In 2010, the eyes of the world were on Whistler as a major venue of the 2010 Winter games, and we found our snow melting in unusually high temperatures, forcing us to take dramatic steps to ensure that there was enough snow for the athletes – at considerable effort and expense.

Summer seasons are becoming longer, hotter and dryer increasing the risk of forest fires. Our 2018 budget included a \$1.4 million investment in community wildfire protection activities. All of which has us wondering about our future and how we, as a community, will pay for the climate costs that we face – whether those associated with winter sports, or other impacts such as drought, flooding, wildfire risk, or extreme weather. We are already incurring costs due to climate change.

These challenges and costs will only be greater if fossil fuel companies continue to work to develop further fossil fuel reserves, ignoring the scientists who tell us that we cannot safely develop all of the existing reserves, and instead need a dramatic shift away from fossil fuels and carbon pollution.

[INCLUDE PROJECTED CLIMATE CHANGE IMPACTS FOR WHISTLER]



[INSERT CLIMATE COMMITMENTS AND INITIATIVES THAT WHISTLER IS UNDERTAKING TO REDUCE GREENHOUSE GAS EMISSIONS AND PREPARE FOR CLIMATE CHANGE]

### **A fair share**

We recognize that climate change is a many-faceted challenge. All levels of government, industry and individuals bear some responsibility for solving this challenge and for paying for climate impacts that have already occurred.

However, we suggest that the responsibility of our community or our residents pales next to the role of [INSERT NAME OF COMPANY], and your industry more generally, in causing climate change. Richard Heede estimates that the emissions associated with your products and your operations amount to [%] of the total human-caused greenhouse gas emissions in the atmosphere today and this letter is being sent to 20 companies that are collectively responsible for almost 30% of greenhouse gas emissions.<sup>1</sup>

Your industry has been aware that its products would warm the planet since the 1960s at latest, and since that time has rapidly increased its production of fossil fuels, making massive profits while doing so, while working to block global action on climate change.

It has never been morally acceptable (or some argue legally permissible) to sell a product that you know will destroy land and harm communities.

Right now, taxpayers are paying 100% of the costs associated with your product, while you pay nothing. It's time for that to change, and that you start making business decisions that reflect your responsibility for climate change.

We are writing to ask you to commit to pay a fair share of the costs of climate change being experienced by Whistler. We can discuss what that fair share is, but Heede's suggestion that your products and operations have caused approximately [%] of human-caused greenhouse gas emissions to date seems like a good starting point for this discussion.

Communities around the world are increasingly expecting you to take responsibility for your products. We look forward to hearing from you how you will do so.

Sincerely,

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<sup>1</sup> Heede, R. Climatic Change (2014) 122: 229. <https://doi.org/10.1007/s10584-013-0986-y>; See also [http://climateaccountability.org/carbon\\_majors\\_update.html](http://climateaccountability.org/carbon_majors_update.html).

## Nikki Barr

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**From:** ALEXANDRA KANITZ [REDACTED]  
**Sent:** Thursday, August 09, 2018 11:26 PM  
**To:** corporate  
**Subject:** Fwd: RZ001151 - Error and concerns

To Mayor and Council,

Dear all,

We are new full time residents at Whistler. We have just bought a house in Alpine Meadows [REDACTED] [REDACTED] ) and we are settling down in the area for the long term, with family and new businesses.

We have been living here since January and just after we bought our house we saw the permit application sign in 8629 Forest Ridge Drive (RZ001151). We are very concerned about this rezoning application.

Apologies if I am sending this to some of you who might not be involved with this issue but I am still learning the ropes here and did not want to miss the deadline for this discussion.

Although we appreciate the issue with housing in Whistler, Alpine Meadows is one of the few neighbourhoods in Whistler that still carries a family community and permanent residents' character. We had to pay slightly more to buy in Alpine Meadows than we would have done in Rainbow or other many areas, for this exact reason.

The information provided online and on the site also seems incorrect / incomplete. The 2 documents available for revision show the application for 2 townhomes with 4 bed units (see attached screen shot). The application landing page states 4 employees-restricted townhomes. The information is inconsistent but either way, we can only assume that the number of beds will be way above 4 - maybe 4 townhomes x 4 beds = 16 or 2 townhomes with 4 = 8. Either way, certainly a lot higher density than you would expect for this size of plot and zone.

RZ1147	1315 Cloudburst Drive (Cheakamus)	AC3 Zone (Athletes' Centre Three)	0.66	56 apartments & townhomes	156
RZ1150	5298 Alta Lake Road (Alta Lake/West Side)	TA17 Zone (Tourist Accommodation Seventeen)	3.85	13 townhomes	52
RZ1151	8629 Forest Ridge Drive (Alpine)	RI1 (Residential Infill One)	0.13	2 townhomes	4
RZ1152	2028 Rob Boyd Way (Creekside)	CC2 Zone (Commercial)	0.57	10 dormitory units + 1 - 3	12



It is surprising that this application is even considered as appropriate. We are very worried about the precedent that it would set. If this rezoning application was to be approved, we fear that it would not be

**long before other similar applications would follow and the character and spirit of this local community would soon be badly affected. Further more, the value of property in Alpine Meadows would also be affected as a higher density neighbourhood, not only has its overall community feel affected, it will certainly impose higher demand on our utilities and other services.**

We ourselves bought into this neighbourhood with its respective zoning bylaws (R11). We made a point of reading all the information and understanding the restrictions before committing to it and it would be extremely unfair to allow private land owners to simply re-write these rules to benefit financially in detriment of the overall community.

**We trust Whistler Mayor and Council will reconsider this, refuse the rezoning applications and hopefully find an alternative, more suitable, neighbourhood for such employee-restricted townhomes. Judging by the documentation provided, there are already more appropriate proposals taking the number of beds to above 2000. We are very hopeful that this will make a significant difference to this well-known Whistler challenge.**

Thanks in advance for your time. We rely on your good sense and judgement to carry this forward appropriately.

Best regards,

Alexandra Kanitz and John Rasmussen

August 23, 2018

Mayor and Members of Council  
Resort Municipality of Whistler  
4325 Blackcomb Way  
Whistler, BC V0N 1B4

Re: RZ 001151 8629 Forest Ridge Drive

Hello Mayor and Members of Council

This letter was originally sent to the Planning Department on August 6, 2018 and as we have not received a response we are directing it to you.

The Fissile Idylwood Strata (#VR1338) is a 29 lot single family bare land strata that is a close neighbour of 8629 Forest Ridge Drive. The south-west corner of our strata property boundary is the north-east corner of 8629 Forest Ridge. Our owners are a mix of local residents and second home owners who are frequent users of their Whistler properties. Many of the suites in the homes are rented to local residents.

The proposed rezoning to accommodate a 4 unit rental townhouse building with a total Gross Floor Area of 615 m<sup>2</sup> was discussed at the most recent meeting of our Strata Council held on July 14, 2018. While we are generally supportive of the RMOW's initiative to allow greater utilization of large single family lots as permitted under the existing Residential Infill (RI) zoning, we believe that this proposal doesn't fit with the character of the existing single family neighbourhood for the following reasons:

1. The allowable density in the Residential Infill zone is 465 m<sup>2</sup> or a floor space ratio of 0.35, whichever is less. The homes in our strata and the other homes surrounding 8629 Forest Ridge are limited to this size. The proponent is requesting a density of 615 m<sup>2</sup> or an increase of 32% above what was intended within the Alpine South Infill program.
2. Rezoning of this property to allow a multi-family development could set a precedent for other large lots in the vicinity leading to an unintended

change of use from predominantly owner occupied Single Family Residential to rental Multi Family Residential. Alpine Meadows is one of the few neighbourhoods in Whistler not dominated by non-resident ownership.

3. A more appropriate location for Multi Family within Alpine Meadows would be adjacent to the existing Multi Family developments close to Highway 99 and the Meadow Park Sports Centre in closer proximity to transit and amenities.
4. We would like to see the proponent work within the existing regulations of the Residential Infill zone which were developed following extensive consultation rather than requesting a spot rezoning for a different use which wasn't considered appropriate throughout this process.

We trust that you will take our comments into consideration as you review this application.

Best regards,

Strata Council VR 1338

Jill Almond, [REDACTED]  
Dave Copeland, [REDACTED]  
Bill Gordon, [REDACTED]  
Toby Salin, [REDACTED]  
Mark Savoy, [REDACTED]  
Tanya Schechter, [REDACTED]

Return email: [REDACTED]



**From:** [REDACTED]  
**To:** [corporate](#)  
**Subject:** Support for National Restaurant and Bowling in Whistler  
**Date:** Friday, August 10, 2018 4:14:14 PM

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To Mayor and Council,

Our family supports Larco bringing the National Restaurant and Bowling to Whistler.

We have reviewed the plan and design boards and would like to show our support for this development. We have three kids ages 10-15 and this is exactly what Whistler needs for indoor fun family activities.

Cindy Pappin and Robert Buckley

[REDACTED]

August 15, 2018

Dear Mayor and Council,

RE: National (Whistler) – Whistler Village Centre project proposal

I am writing in connection with the above licensing application. I have examined the National Whistler project brief and wish to offer my support to the project for the reasons outlined below.

- Tourism Whistler has identified the need for weather independent indoor recreational amenities. The National Whistler proposal to add bowling and other old-school amusements would provide a much-needed ***indoor recreation facility*** that appeals to both residents and guests.
- The proposal ensures a ***family-oriented inclusive program***, with minors permitted in the restaurant and patio at all times; and minors permitted in the lounge until 10:00 p.m. A family-oriented program would be a benefit for the family market that the resort actively markets, as well as for residents looking for more family-friendly activities.
- Concorde Entertainment Group is an ***experienced food-focused hospitality operator*** with a proven track record and over 30 years of business experience.

With the numerous opportunities and many benefits that the National Whistler project would bring to both the Whistler local community and visitors alike, I encourage you to support this project.

Thank you for your consideration.

Sincerely,

Tim Logie

[REDACTED]

[REDACTED]

[REDACTED]

**From:** Shevaun Brown <shevaun@mountainkids.ca>  
**Sent:** Tuesday, August 28, 2018 8:05 AM  
**To:** corporate  
**Subject:** Proposed bowling alley

Dear Mayor and Council,

I am writing to express my support for the bowling alley, games and restaurant facility that has been proposed for the Village.

As a small business owner catering to families, I fully support activities that will enhance the Whistler experience for guests/visitors of all ages. A bowling alley sounds like a fun venue for everyone, both residents and visitors alike, especially on rainy days. I think this would be a wonderful addition to Whistler and I am in full support.

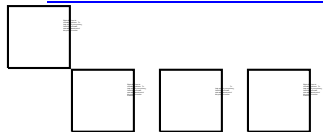
I strongly encourage you to support this project.

Regards,

Shevaun Brown - Owner  
**Mountain Kids Outfitters Ltd**



207 - 4293 Mountain Square  
Whistler, BC  
V0N 1B4  
e: [info@mountainkids.ca](mailto:info@mountainkids.ca)  
p: 604.932.2115  
w: [www.mountainkids.ca](http://www.mountainkids.ca)



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**From:** corinna schmalzer [REDACTED]  
**Sent:** Sunday, August 12, 2018 8:48 AM  
**To:** corporate  
**Subject:** DES

To Mayor and Council,

I am writing this email to you today regarding the DES system in Cheakamus Crossing.

8 years ago, with our first baby on the way, my husband and I were excited to move into this neighborhood for many reason. It was a neighborhood where we could afford a place of our own, it was a local's neighborhood, and it was housing that was supposed to be a Olympic legacy. When we heard about the DES and how great of a system it was supposed to be, environmentally and financially we were even more thrilled.

From day one of moving in, we followed all the rules when it came to getting the DES serviced each year, but we have only had problems. When the RMOW got involved, and there was the phase 1 and phase 2, we had all that done too..... But we continue to only have problems.

We have gone winter after winter with no heat upstairs in the kids rooms and have been running our hot water on electric (which can get expensive). We have had technicians come in to try and fix it but with no success. My kids can't go another winter wearing toques to bed and us using plug in heaters to try and keep us all warm.

We don't have the money to get off the system and replace it with something else. We don't have the money to keep having someone come in to look at it, and then not being able to fix it.

It is time for the RMOW to take responsibility of these systems, which were not installed correctly, and figure out a solution and pay for the opt out plan.

Oh and just so you know, we just had another red screen a few days ago, no hot water (unless we are on electric) and no heat upstairs in the kids rooms (not that we need to put the heat on these days!). Before we know it, winter will be here..

Sincerely,  
Corinna Hoverd  
[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, August 13, 2018 3:20 PM  
**To:** corporate; Jack Crompton; Jen Ford; Sue Maxwell; Cathy Jewett; Steve Anderson; John Grills; Nancy Wilhelm-Morden  
**Subject:** District Energy System: why no one has opted out

Dear Mayor and Council,

Mt husband and I are owners in Riverbend, one of the strata properties in Cheakamus Crossing. I hear that you are making a decision in the next few days regarding any future help for residents in Cheakamus Crossing for the DES system. I've also heard that your impression is this: since no residents have chosen to opt out, the system must be working fine.

Contrary to your impression, the system is not working fine for many residents, and even for those of us that it seems to sort of be working for, it's expensive to maintain, and the additional cost of paying RMOW (in our case, \$720 per year) to partake in DES is unreasonable, given that no one is able to actually measure the benefits or environmental savings to us homeowners for using DES. After paying several hundred dollars per year, we still have one zone that none of the service people seem to be able to get working, and we've been told we'll have to pay them several hundred more dollars, so they can spend more time troubleshooting it. At least we have heat in the rest of our home, so we have been coping with this, but the system is not working fine. We were told by the service people that this zone problem was outside the scope of Phase 1 & 2.

So, why has no one opted out? Has RMOW given us any indication on how to opt out? Do we just turn off the valve to DES, & then inform RMOW that we're opting out, or is there something else we have to do? I don't believe we owners have received any directions from RMOW on how to opt out of DES.

On top of opting out of DES, if we are in fact able to do so at a reasonable cost, there are significant challenges with replacing the current system with one that will reliably heat our homes and our domestic hot water. While the logical solution would be to replace the existing heat pump with a gas boiler, we've been told that the gas lines into our neighborhood are not large enough. Will RMOW step up and put larger gas lines into Cheakamus Crossing, or recommend another cost-effective replacement to DES?

I've heard through the media that Council expects owners to understand the DES/heat pump/hot water tank system. I'm a fairly technical person, and have owned homes with forced-air gas furnaces and with radiant in-floor heat via a gas boiler and hot water tank. I did understand those systems, and although I relied on a trained service person to explain more serious issues and perform required maintenance, I was able to do some simple repairs, like putting in a new thermocouple, myself. However, with this DES system, the trained service people from the recommended companies don't even seem to be able to explain the system, so why would RMOW expect residents who aren't HVAC engineers understand this very complex system? Do all of you understand the DES system?

In conclusion, I'm asking that you take responsibility for the problems being experienced with DES, and take appropriate measures to resolve those problems, so that residents don't have to continue to outlay large sums for maintenance, or even larger sums to replace a system that we should not have to replace. Please don't leave this to residents, many of whom bought into Cheakamus Crossing because we thought we were going to help the environment by using the DES system. Unfortunately, no one can prove to us that we're saving energy and helping the environment. All we seem to be doing is emptying our wallets!

Regards,

Cheryl Leskiw

[REDACTED]  
[REDACTED]  
[REDACTED]

Phone [REDACTED]

**From:** mike mccarville  
**To:** corporate  
**Subject:** Owner [REDACTED]  
**Date:** Monday, August 13, 2018 2:53:24 PM DES  
**Attachments:** Quote119887\_2018-06-04\_331297.pdf  
RMOW DES disconnection.pdf

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Hello Mayor and Council,

I am writing to you with my concerns regarding the District Energy System installed in my unit at the above address. My system is at a point of operating outside of the allowable temperature range as noted during my last service visit by Haakon industries.

I have attached the quote which targets this issue and have been advised that this is an 'annual' cost to keep the system functioning. As this annual cost is substantial I have considered disconnection from the system in conjunction with replacing my HWT's to a more reasonable size.

The 2nd attached doc outlines the application for such a change, which I find rather burdensome and potentially negative towards any owner who wants to carry this out.

I am prepared to take on the cost of replacing my tanks and moving to an electronically heated hot water system, I therefore request that my municipal government come up with a disconnection solution that will make this viable for all units in my Strata.

Regards,

Mike McCarville



11851 Dyke Rd, Richmond, BC Canada V7A 4X8 Phone: 604 273 0161



McCarville

Whistler BC

Job: 799-01  
Caller:  
Unit Tag: See Work Detail

Report ID: 119887  
Date: 04-Jun-2018  
Urgency: Within 3 to 4 Months  
PO#:

Desc:  
Area:  
Technician: Frank Varga

Site: [REDACTED], Whistler-The Heights  
Contact: McCarville

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## Amount

**\$1720.06 + GST**

## Recommendation

Clean B.P.H.E.'s with acid solution

## Details

Climate master, MOD # THW010AGW0XCSBA SER M15248676

Problem: Heat pump D.H.W. is experiencing high operational pressures.

Possible Cause: Mineral build up in B.P.H.E. (brazed plate heat exchanger).

Consequence: High operational pressures, premature wear to compressor.

Solution: Remove fittings as needed and install fittings for access. Mix acid solution as required and circulate acid solution on B.P.H.E. until clean. Flush with water and check operation.

Parts Availability: None required.

Work summary from previous Report ID 119257:

Access Thw heat pump.

If you would like to proceed with this quotation, or if you have any questions please contact us. This quote is valid for 30 days.

Invoice will be issued upon completion, and payable upon invoice.

For non-contracted customers, accounts greater than 15 days overdue will be charged to the credit card on file. Your prompt payment is greatly appreciated.

**From:** Claire Mozes  
**To:** Jack Crompton; Jen Ford; Sue Maxwell; Cathy Jewett; Steve Anderson; John Grills; Nancy Wilhelm-  
**Cc:** Morden corporate; WDC; Engineers; Marla Zucht; [REDACTED]  
**Subject:** DES  
**Date:** Monday, August 13, 2018 4:33:00 PM  
**Attachments:** April28\_2017.pdf  
January23\_2012.pdf  
July24\_2012.pdf  
March15\_2018.pdf  
September19\_2017.pdf  
August23\_2016.pdf  
[REDACTED] DES Phase1  
Checklist.pdf

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Dear Mayor and Council,

The attached documents outline work we've had done on our system at [REDACTED]  
[REDACTED] This does not include the cost of monthly hydro (which goes up significantly when the system is not working) or the DES charge collected by the RMOW each quarter [REDACTED] which adds up to approximately \$7328 for our household (\$229/quarter X 8 years) for the 'privilege' of being hooked up to the District Energy System. I know that we are not the only household experiencing issues with a poorly installed system in Cheakamus Crossing as I'm sure you are all aware. I have sent numerous emails, outlined costs, participated in surveys and spoken to some of you directly. But, bringing awareness of the problems doesn't seem to be resulting in action by the RMOW that would actually solve the problems we are having.  
I respectfully request that this mayor and council work with the RMOW staff to make significant improvements to our heating systems. Provide funds to change to a system that will not leave an entire neighbourhood under the stress of never knowing when we are going to wake up to a lack of heat.

Claire Mozes  
[REDACTED]  
[REDACTED]



## Cheakamus Crossing DES Phase1 Checklist



Date: 2016-12-23

Technician: Derek Carson

Unit: Whitewater #

Recommend to  
replace both shraeder cores and access fitting caps  
replace the fancoil zone valve  
replace the hydronic expansion tank  
replace Belimo actuator LF24 US

Scope Item	Existing Condition	Work Completed
1. Confirm Griswold flow cartridge and change to 8 gpm. if 6 gpm exists	6 gpm? Yes	Scope 1+2: Installed Spartan valve assembly and 8gpm cartridge?
2. Providing a new actuator with end switch to control start of HP compressor		Yes
3. Provide manual air vents on each fan coil in each suite	Air vents present? no	How many air vents installed? 0
4. Confirm and report on sensor installation and location on both the heating buffer tank and the domestic hot water storage tank	DHW tank Upper sensor Height above floor:	DHW at 17.5 Buffer at 13"
	DHW tank Lower sensor Height above floor: 29	
	Buffer tank sensor height above floor: 5	
5. Confirm and report that backup heat for both heating buffer tank and domestic hot water tank operates automatically or manually	DHW tank operates automatically? Yes	Notes:
	Heating Buffer tank operates automatically? Yes	

6. Confirm location of expansion tank in all Whitewater suites and lift to allow access to Schrader valve for charging if required	Was tank mounted low? <b>Yes</b>	Raised expansion tank? <b>Yes</b>	
7. Confirm and report on heat pump setpoints, refrigerant pressures and water temperature differences for both heating and domestic hot water.	DHW setpoint <b>48</b>	Set DHW setpoint to 49C? <b>No</b>	
	Heating setpoint		
	Outside Temp <b>17</b>		
	DHW pressure in/out <b>17.5</b>	<b>20</b>	DHW set to 40C Compressor amps: 17.1A
	Heating pressure in/out <b>16.5</b>	<b>18</b>	
	DES pressure in/out <b>20</b>	<b>19.5</b>	
	DHW temp in/out <b>44.6</b>	<b>49.6</b>	
	Heating temp in/out <b>45.9</b>	<b>51.7j</b>	
8. Revise domestic hot water tank by moving heat pump temperature sensor to where lower element is sensed, turn off lower electric element. Set upper element thermostat to maintain 60C (140F)		Completed? <b>Yes</b>	
9. Take water sample and test for Conductivity, pH and Hardness	Hardness in mg/l <b>34.4</b>	Notes:	
	PH <b>10.5</b>		
	Conductivity <b>516</b>		
	Total dissolved solids <b>363</b>		
10. Replace existing backflow preventers with dual check on heating system and swing check on domestic cold makeup to DHW system.		Completed? <b>Yes</b>	
12. Complete system clean and flush		Completed? <b>Yes</b>	
14. New Belimo actuator with end switch on DES in place of time delay relay		Completed? <b>Yes</b>	



# ELEMENT

DATE: 23 / 1 / 2012  
DD / MM / YYYY

## CHEAKAMUS CROSSING RESIDENTIAL HEATING AND PLUMBING INSPECTION REPORT

LOT NAME: WHITE WATER [REDACTED] OWNER: Clair Mozes

HEAT PUMP - SERIAL #: L11537354 CABINET CHECK: GOOD

COMPRESSOR CHECK ( AMPERAGE DRAW )

CHECK#1(START) 51.60 CHECK#2(RUNNING) 12.00 CHECK#3(START) 14.00

### CHECK LIST

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 3-WAY VALVE OPERATION     | <input checked="" type="checkbox"/> BUFFER TANK ELEMENTS     |
| <input checked="" type="checkbox"/> INTERNAL CIRCULATION PUMP | <input checked="" type="checkbox"/> DWH TANK ELEMENTS        |
| <input checked="" type="checkbox"/> BUFFER TANK CONTACT       | <input checked="" type="checkbox"/> TEKMAR ZONE MANAGER      |
| <input checked="" type="checkbox"/> DWH CONTACT               | <input checked="" type="checkbox"/> VISUAL WIRING            |
| <input checked="" type="checkbox"/> HEATING CIRCULATOR        | <input checked="" type="checkbox"/> VISUAL PIPING            |
| <input checked="" type="checkbox"/> DHW CIRCULATOR            | <input checked="" type="checkbox"/> SBK MANIFOLDS ( DRIVES ) |
| <input checked="" type="checkbox"/> FAN-COIL ZONE DRIVE       | <input checked="" type="checkbox"/> THERMOSTATS              |
| <input checked="" type="checkbox"/> BELIMO VALVE              | <input checked="" type="checkbox"/> FAN-COILS                |
| <input checked="" type="checkbox"/> 1" RP BACK FLOW VALVE     | <input checked="" type="checkbox"/> PLUMBING FIXTURES        |
| <input checked="" type="checkbox"/> 1/2" RP BACK FLOW VALVE   | <input checked="" type="checkbox"/> FIXTURE STOPS            |
| <input checked="" type="checkbox"/> AUTO VENTS                | <input checked="" type="checkbox"/> HOSE BIBS                |

### PROBLEM REPORT

#### REPAIRED

- |   |  |
|---|--|
| 1. Double check valve for heating #1 check failed.recommended to check warranty first | Y <input type="radio"/> / N <input checked="" type="radio"/> |
| 2.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 3.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 4.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 5.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 6.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 7.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 8.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 9.  | Y <input type="radio"/> / N <input type="radio"/>            |
| 10.   | Y <input type="radio"/> / N <input type="radio"/>            |
| 11.   | Y <input type="radio"/> / N <input type="radio"/>            |
| 12.   | Y <input type="radio"/> / N <input type="radio"/>            |
| 13.   | Y <input type="radio"/> / N <input type="radio"/>            |
| 14.   | Y <input type="radio"/> / N <input type="radio"/>            |

THANK-YOU FOR CHOOSING ELEMENT MECHANICAL

## WARRANTY REPORT

### OWNER COMPLETES THIS SECTION

Address \_\_\_\_\_

Owner Name \_\_\_\_\_ Claire Mozes \_\_\_\_\_ Daytime contact \_\_\_\_\_

Date of report \_\_\_\_\_ July 24, 2012 \_\_\_\_\_ Owner signature \_\_\_\_\_

*List your warranty items below one item per line. A WDC representative will contact you to obtain detail and arrange for access to your home as required. Warranty service is prioritized based on severity of issue.*

1. \_\_\_Heat pump is making a loud noise. We called Western Tech today and they think that it might be a bearing. Also the setting on hot water temp is not working and we are getting water at a hotter temp than desired. \_\_\_\_\_

Owner Signature \_\_\_\_\_

### OFFICE USE ONLY

Comments

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Date of completion \_\_\_\_\_

By signing below the owner certifies that above items have been completed:

Signature \_\_\_\_\_

Date \_\_\_\_\_