ERRDN HOLDEN President Strata Corporation #3615

March 15th 2018

Mayor Nancy Wihelm-Morden & Council Resort Municipality of Whistler 4325 Blackcomb Way Whistler, BC V0N 1B4

Dear Mayor & Council,

RE: BC TRANSIT BUS STOP, HI HOSTEL LEGACY WAY CHEAKAMUS CROSSING

The current location of the bus stop used as the main termination / start point known on the BC Transit schedule as the HI (Hostel International) located adjacent to the HI car park and surrounded by the hostel, The Podium, The Falls, The Couloir & The Cirque buildings has proved to be an on going nuisance to the surrounding residents and a hazard to road users & pedestrians on Legacy Way. We would like to see some small changes to the BC Transit schedule & usage of this stop that we believe will reduce noise and nuisance for residents and improve road user & pedestrian safety on Legacy Way.

THE ISSUES:

- 1. Buses pull in to the stop every 15-20 minutes and often stay parked in the stop for up to 20 mins using it as the schedule terminal stop. Large buses entering, parking and exiting this section of Legacy Way where residential building street set backs are minimal is creating noise, visual and air pollution issues and is having a negative effect on the general amenity of the residential setting.
- 2. There are many times when there are 2 buses parked at the stop. Two buses do not fit in the stop pull out resulting in a partial block on Legacy Way forcing traffic around the rear driver's side of the bus, blind, onto the wrong side of the road. Furthermore a pedestrian safety issue has been created by the location of the bus stop in proximity to the pedestrian crossing ahead of the stop. Because the stop is located on the apex of a left to right convex curved section of the road a driver's / rider's view of a pedestrian stepping onto the crossing is obscured by parked buses.
- 3. When a bus pulls into the stop and pulls away the engine and air brakes are an extreme noise nuisance for surrounding residents. The new CNG buses seem to have an issue with their air brakes. Driver's seem to become stuck or hindered by the brakes for several seconds as they attempt to pull away from the stop often blowing off the compressed air several times. This blow off occurs on arrival and departure of every bus, every 20 minutes, 22 hours/ day = 132 times/ day
- 4. Parked buses often sit with the engine idling in excess of 1 minute and often 10-20 minutes which is not permitted under both BC Transit and Resort Municipality of Whistler policy. This is a noise nuisance and an air pollution / green house gas emission issue. Furthermore, the idling of the buses is an operational expense concern. What are the possible cost savings to the municipal budget?
- 5. Buses are often left unattended for up to 20 minutes by drivers who appear to visit the HI hostel for a break. The unattended buses are very often left idling and the door open allowing users onto the running bus with no driver supervision. This is a major safety & liability concern.

6. Guests of the HI Hostel often use the stop in groups, leaving or arriving on the buses in Cheakamus Crossing between 10pm and 3am. People using the stop are often very noisy, often shouting and partying and often appear to have consumed alcohol or other drugs or are actively consuming alcohol and or smoking cigarettes or weed at the bus stop while waiting for buses to the village. On arriving back at the stop often between 12am-3am people are drunk and loud. There is generally very little regard for the quiet enjoyment of the surrounding residents by some people entering and exiting the HI hostel. We suggest that the hostel is from time to time in violation of Resort Municipality Bylaw #305, Prohibition of Nuisances and noise control Bylaw 1660.

THE SUGGESTED SOLUTIONS:

- Modify wording on the bus schedule. Change the terminal stop in Cheakamus Crossing from HI hostel to Athlete's Center. This will move the waiting buses to an alternate shelter located in an open area with no surrounding residential buildings, on a concave right to left road curve with improved visual safety. Issues 1-2-3 solved.
- 2. Reduce the operation hours of the HI hostel stop to 5am 10pm daily. Do not allow buses to stop there for pick or drop off after 10pm. This can be put in practice by signage at the stop, inside the hostel and verbally by drivers to users. Issues 1-3 solved and issue 6 partially solved.
- 3. Engage with HI hostel to raise awareness of the noise nuisance created by some of their guests and put information solutions in place eg posters, signage inside the foyer/ exit and rooms. Issue 6 partially solved.
- 4. Have Bylaw services made available to monitor & respond to noise and open alcohol issues and fine people for non compliance, fine the HI hostel for non compliance. Issue 6 partially solved.
- 5. Have BC Transit inform and promote their no idle policy and provide procedural policy on leaving buses unattended to bus drivers. Bylaw officers to monitor and enforce the vehicle idling policy at terminal bus stops through out Whistler. Issues 4 solved, issue 5 partially solved.

There is a great opportunity to establish the Athlete's Center stop as the main terminal stop in Cheakamus Crossing. The current stop is now surrounded in very close proximity by residential buildings. Before The Podium, The Couloir and The Cirque were built the current issues did not have as much impact as they now do. This terminal stop is now not in a suitable location and can be moved with the spring re-issue of the BC Transit schedule simply by changing the words HI hostel to Athlete's Center.

The Athlete's Center bus stop is adjacent to Bayly Park, the site chosen for the all weather soccer pitch. Public transport use to and from the soccer pitch will obviously be part of the pitch redevelopment and associated traffic management planning.

There is already a strong pedestrian side walk link from this stop to the HI hostel.

Please assist us to solve these road & pedestrian safety, visual, noise and air pollution issues that are currently effecting local community residents on Legacy Way in Cheakamus Crossing.

Yours sincerely, on behalf of The Cirque 1030 Legacy Way residents

ERRON HOLDEN President, Strata Corporation #3615





OFFICE OF THE MAYOR

March 29, 2018

Honorable John Horgan Premier of British Columbia PO BOX 9041 STN PROV GOVT Victoria, BC V8W 9E1 Honorable Mike Farnworth Minister of Public Safety and Solicitor General Room 128 Parliament Buildings STN PROV GOVT Victoria, BC V8V 1X4

Dear Premier Horgan and Minister Farnworth,

RE: Human Trafficking Task Force

At the Regular Meeting on March 6th, 2018 the District of Houston received the attached email from Cathy Peters, BC's Anti-Human Trafficking Educator, Speaker, and Advocate, dated February 26th, 2018.

At that meeting Council passed the following resolution:

"That Council resolves to issue a letter to the Minister of Public Safety requesting the establishment of a Human Trafficking Task Force and the enforcement of the federal Protection of Communities and Exploited Persons Act."

Thank you for your attention to this matter.

Sincerely,

Snemen

Shane Brienen Mayor

- Attach: Email from Cathy Peters dated February 26th, 2018 Re: Child Sex Trafficking in BC Municipalities and How to Stop it.
- cc: Cathy Peters, BC's Anti-Human Trafficking Educator, Speaker and Advocate All UBCM member municipalities

	< Loc	Agent cice ee
Deena Farrell From: Sent: To: Subject: Attachments:	Cathy Peters <ca.peters@telus.net> Monday, February 26, 2018 4:36 PM Houston General Child sex trafficking in BC Municipalities and how to stop it WHAT CAN I DO AS A PARENT TO STOP MY CHILD FROM BEIN Some Ways to Prevent Your Child from Being Recruited Into Pro Bill C-36.docx; Ontario unveils funds for Human trafficking.docx</ca.peters@telus.net>	ostitution.docx; UBCM &
Importance:	High	

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MUMAD)

Dear Mayor Shane Brienen and City Councillors,

Child Sex trafficking (including child pornography) is the fastest growing crime in the world, Canada and in BC. I have been raising awareness to this issue for the past 5 years.

I have included two attachments addressing how to stop this crime and the UBCM 2015 Resolutions on Human trafficking/Rape culture.

BC needs a properly funded Human Trafficking Task Force (like Ontario) for awareness, education and training for law enforcement.

Also, the current Federal Law, "Protection of Communities and Exploited Persons Act" needs to be properly enforced.

ASK: Would you please write a letter to the BC Premier John Horgan and the Public Safety Minister/Solicitor General Mike Farnworth that we need a Human Trafficking Task Force AND the Federal Law enforced (it is in the rest of the country), and send me a copy of that letter.

#MeToo and #TimesUp are 2 timely anti- sexual abuse campaigns. Please write me if you support these campaigns.

Sincerely, Mrs. Cathy Peters BC's anti-human trafficking educator, speaker, advocate #302-150 W. 15th St., North Vancouver, BC V7M 0C4

Mission statement: A Modern Equal Society does not buy and sell women and children. My goal: to traffick-proof every community in BC and insure there is not another Robert Pickton (Port Coquitlam serial killer) situation.

Strategy: the 2 E's- **Education** (of the problem), **Enforcement** (of the Law, The Protection of Communities and Exploited Persons Act)

Result: to make it known that British Columbia is a bad place (for buyers of sex, traffickers, facilitators) for the business of sexual exploitation.

WHAT CAN I DO AS A PARENT? Here are five things that you can do to help prevent your child from being lured away by a trafficker:

1. Set a high standard of "love" within your home.

The way you define and express love shapes your children's self-image, confidence and opinions of future relationships. Treat them the way you want their future spouses to treat them. Help them to distinguish between real love and empty promises or cheap gifts.

2. Talk to your children about sexual abuse.

According to the US Department of Justice, every two minutes someone in the US is sexually assaulted, of which 29% are ages 12-17. Let your children know that if anyone has or ever does hurt them, they can talk to you. This is the most important thing you can say. Don't assume they have not been hurt by sexual violence before. Leave the door open for your child to talk about past circumstances that they haven't shared with you.

3. Talk to your children about sex trafficking.

Discuss ways children and teens are targeted for sex trafficking. Let them know that traffickers specifically try to woo young girls and boys with promises of a better life – whether it's promises of love and attention or promises of nice things and trips – these pimps look for ways of exploiting dreams. Traffickers can be male or female, even classmates. Traffickers may even use kids to recruit other kids.

4. Talk to your children about the dangers of social media.

It's important to provide practical safety tips like: don't share personal information on the Internet; don't accept Facebook requests from unknown people; NEVER share naked photos of yourself with anyone; and tell a parent or a trusted adult if you feel threatened or uncomfortable online. Also, children need help in defining friendships. Social media has distorted our childrens' understanding of what friendship means. Teach them that a friend is not someone you met yesterday and that a "friend" on Facebook is not the same thing as a friendship.

5. Pay attention to your children.

Monitor your children's social media accounts, look for ways to meet their friends, their friends' parents and those they hang out with. Be alert to boyfriends who are much older, or friendships that tend to isolate your child from other friends or family. Notice if your child has new clothing items, makeup products, cell phone or other items and inquire about how they aquired them.

Some Ways to Prevent Your Child from Being Recruited Into Prostitution

- Recruiters frequent malls, movie theaters, bowling alleys, parks, typical teen hang out areas, and around school grounds. Make sure your children are supervised and not alone when in these areas.
- Recruiters are always looking for girls who are alone or isolated; if your child is with a group, she is much less likely to be targeted.
- Make sure your child is not alone when they are going to or from school or other extracurricular activities.
- Check your child's emails, social media, and internet activities. Many recruiters will build a relationship with children through the internet over time in order to gain their trust.
- Screen any boyfriend by checking his age and status in the community. Check with his parents to verify his age, any gang affiliation, or any criminal history. Recruiters are notorious for lying about their age and who they are in order to gain a girl's-*and even her parent's*-trust.
- Know where your child is all times. It may be annoying to your child, but it also could mean saving their life.
- Adding a GPS tracker to your child's phone is a great form of protection, as it allows you to find out exactly where your child is at any time.
- Have a code word or phrase. For example, saying "I'm fine" means "*Not okay! I need help!*". This way, if they are in the hands of an abductor they can text you this code without raising the suspicion of the abductor or recruiter.
- Use the percentage sign or some unique symbol that will allow your child to text you one quick symbol to tell you they are in trouble.
- Have specific and periodic check in times with your children. Setting a recurring alarm on your child's phone will help them remember to check in. If your child misses a check in time, you can set a response in motion assuming that they are in trouble.
- Ethical Modeling agencies do not typically solicit girls who are alone. Thoroughly screen any solicitation for your child to model or to go somewhere with someone who has not been vetted.
- Talk to your child about what to do if they get into trouble with someone who is threatening them. The basic rule is to never go to the second location once you realize you are in danger. No matter what the threat, advise them to go to a figure of authority *immediately*.
- It is a difficult discussion to have, especially with junior high age children, but 8 to 14 year-olds are the primary targets of recruiters. Children really need to be coached on how to respond to that type of threat if it happens to them.
- If your child is going to a party, make sure that you know it is held at a safe place with the supervision of people you trust. Recruiters for sex trafficking will often frequent parties that teenagers attend and wait until a child is alone, single them out, and actually take them during the party. Many times the recruiter will take them to a back room where any kind of disturbance would not be heard due to the noise of the party.
- Advise your child to never leave any drink, even water, unattended at any party or event. Recruiters will drop what they call a "roofie" into the drink which causes the victim to become submissive to anyone without bringing attention to the situation.

Most importantly, get involved in your child's life and be their parent, not their buddy. They may resist, but it is our job as parents to protect our children from the predators that seek to destroy their lives.

CANADIAN FEDERAL LAW:

"The Protection of Communities and Exploited Persons Act"

 Targets the demand by targeting the buyer of sex; the predator, pimp, trafficker, john are criminalized 2. Recognizes the seller of sex is a victim; usually female and is not criminalized 3. Exit strategies put in place to assist the victim out of the sex trade.

UBCM RESOLUTIONS September 2015:

B53

HUMAN TRAFFICKING; NCLGA Executive

WHEREAS human trafficking is a real and devastating issue in British Columbia; AND WHEREAS significant work & research has been done as of late to aid in the prevention and prosecution of human trafficking throughout Canada:

THEREFORE BE IT RESOLVED that UBCM call on the RCMP, local police forces and local governments to work collaboratively in order to implement the recommendations found within the National Task Force on Sex Trafficking of Women and Girls in Canada's recent report ("NO MORE' Ending Sex -Trafficking In Canada") as well as the Province of British Columbia's "Action Plan to Combat Human Trafficking." ENDORSED BY THE NORTH CENTRAL LOCAL GOVERNMENT ASSOCIATION UBCM RESOLUTIONS COMMITTEE RECOMMENDATION

B80

RAPE CULTURE IN CANADA; NCLGA Executive

WHEREAS sexual assaults continue to be committed across Canada, and victims are of every age, race, income and gender;

AND WHEREAS sexual assaults are under reported, and prosecution and conviction rates are low:

THEREFORE BE IT RESOLVED that UBCM advocate for an intergovernmental task force to be convened to determine the steps needed to erase the "rape culture" that is pervasive in schools, universities, workplaces and elsewhere across Canada;

AND BE IT FURTHER RESOLVED that the task force be mandated to elicit testimony from victims in order to determine the steps needed to improve the reporting, arrest and conviction rates across Canada.

ENDORSED BY THE NORTH CENTRAL LOCAL GOVERNMENT ASSOCIATION UBCM RESOLUTIONS COMMITTEE RECOMMENDATION

Ontario unveils \$72-million plan to fight human trafficking

Tavia Grant

The Globe and Mail

Published Thursday, Jun. 30, 2016 10:37AM EDT

Last updated Thursday, Jun. 30, 2016 8:28PM EDT

The Ontario government will spend up to \$72-million over four years in a new anti-trafficking strategy, with support for indigenous-led approaches to tackling the issue as one of its priorities.

Government ministers unveiled the strategy on Thursday at Covenant House in Toronto, a shelter for homeless youth. They said the money will be used to bolster support for culturally appropriate services for indigenous survivors of trafficking, establish a provincial anti-trafficking coordination centre and create a specialized prosecution team for human-trafficking crimes.

Ontario is the third province in Canada to adopt a plan to fight human trafficking. The province has about 65 per cent of the human trafficking cases reported to police in the country, and the RCMP has identified Ontario as a major hub for trafficking in Canada.

Human trafficking "is a deplorable crime that robs the safety, livelihood and dignity of those who are being exploited and abused," Attorney-General Yasir Naqvi said at the announcement.

Indigenous women and girls are disproportionately affected, he said in an interview. "We know the number is high. A lot of indigenous women, unfortunately, get trafficked, and that is why we wanted to have an indigenous approach as a wraparound for this entire strategy. It is disproportionate, absolutely."

A Globe and Mail <u>investigation</u> earlier this year showed that, despite a raft of studies, reports and surveys showing that aboriginal youth and women comprise an outsized share of trafficking victims, relatively little dedicated federal funding has gone to prevention or protection.

Covenant House has provided services to 60 victims of sex trafficking so far this year, which already surpasses last year's numbers. The agency has estimated about a quarter of cases involve indigenous girls and young women.

Trafficking charges have resulted in few convictions. The rate, specifically for human trafficking, is less than 10 per cent of charges in the Ontario Court of Justice. Mr. Naqvi said that reflects the complexity of the crime and difficulty in getting victims to testify.

The provincial government did not break down how the \$72-million will be spent. It did say it will expand supports for at-risk youth leaving care and bolster services for survivors, such as trauma counselling and job skills training.

Barbara Gosse, CEO of the Canadian Centre to End Human Trafficking, said she would have liked the plan to include education for judges on the issue, and more emphasis on data collection. "We need a coordinated and integrated system of collecting data from law-enforcement, frontline service providers and non-profit organizations who provide services and supports to victims," she said, so that governments can develop policies based on evidence.

Canada's national action plan on human trafficking expired in March. Public Safety Canada, which coordinated the federal response to trafficking, said the government is determining "next steps."

Human trafficking is defined as recruiting, transporting or exercising control over a person to exploit them, typically through sexual exploitation or forced labour. The majority of trafficking cases in Canada are domestic, rather than international or cross-border, and most domestic cases are sex trafficking, the RCMP says.

The province's announcement came as a global report said Canada remains a source, transit and destination for sex trafficking. Canada is also a destination country for men and women subjected to forced labour, the U.S. State Department said in its annual global report on trafficking in persons.

"Women and girls from Aboriginal communities; migrants, including those newly arrived, atrisk youth; runaway youth; and girls in the child welfare system are especially vulnerable," it said.

The report recommended Canada "significantly increase" specialized services and shelter for victims. Data collection should be improved, while inter-agency co-ordination between the provinces has been "uneven." It said training efforts – particularly for prosecutors and judges – should be increased.

It also said the government "did not provide adequate funding for specialized victim services; and the range, quality, and timely delivery of services varied across the provinces."

Globally, human trafficking is now a \$150-billion industry, the report said.

Follow Tavia Grant on Twitter: @taviagrant

More Related to this Story

- The Taken: Five women, five serial killers and how their paths came to meet
- The Trafficked: Sexual exploitation is costing Canadian women their lives



April 13, 2018

File: 0400-20

FILECOPY

Honourable Carole James Minister of Finance PO Box 9048 Stn Prov Govt Victoria, BC V8W 9E2

Re: Employer Health Tax

Dear Minister James:

District of Clearwater Council understands that implementing an Employer Health Tax is administratively more efficient and replaces a "regressive tax" for Medical Services Premiums (MSP) which are not tied to income. An example noted in a recent press release notes that "a person earning \$45,000 a year pays the same as a person earning \$250,000".

It is understood that the new tax will be phased in over the next couple of years. Using the example of how this will be calculated whereby employers with payroll over the \$500,000 threshold will pay double, will put undue hardship on the District. Based on the information provided for 2019 we will pay half the Medical Services Premiums, plus the new tax. Based on the District's 2018 payroll of \$1,490,351. it will cost approximately \$38,661.85 (2019 Payroll Tax plus 2019 premiums \$9,600) for 2019. This works out to approximately a 1.5 percent increase on property taxes. The District of Clearwater is a small municipality of just over 2,400, and has limited ability to generate revenues outside taxation.

We ask that you consider options for an easier transition to the implementation of the Employer Health Tax. Thank you for your time and consideration to this matter of urgent concern to all B.C. municipalities.

Sincerely,

John Harwood Mayor

cc: UBCM Municipalities



DISTRICT OF CLEARWATER P 250.674.2257 F 250.674.2173 E admin@docbc.ca PO Box No. 157 209 Dutch Lake Road Clearwater BC VOE 1N0

districtofclearwater.com



CORPORATION OF THE VILLAGE OF POUCE COUPE

PO Box 190, Pouce Coupe, B.C. VOC 2C0 Telephone: (250) 786-5794 Fax: (250) 786-5257 www.poucecoupe.ca

April 18, 2018

The Resort Municipality of Whistler 4325 Blackcomb Way Whistler, BC V0N 1B4

RE: COLLECTION OF UNPAID BYLAW FINES

Dear Mayor and Council;

Thank you for your letter dated March 23, 2018. At our April 4, 2018 Council meeting we discussed the collection of unpaid fines and we are in agreement with your decision.

The Mayor and Council of the Village of Pouce Coupe support the resolution to UBCM.

"THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the Insurance Corporation of British Columbia collect outstanding bylaw fines on behalf of municipalities at the time of auto insurance and/or driver's licence renewal."

Thank you for the opportunity to review this resolution.

Sincerely,

Mayor Lorraine Michetti



Serving British Columbia Since 1984 Provincial Toll Free: 1.888.689.3463 <u>www.childfindbc.com</u>

April 20, 2018

Dear Mayor and Councilors,

Re: Proclamation for National Missing Children's Month and Missing Children's Day

I write today on behalf of Child Find British Columbia. Child Find BC requests that your local government proclaim May as Missing Children's Month and May 25th as missing Children's Day.

Child Find BC provides "ALL ABOUT ME" ID Kits with child finger printing and photos, to at no cost to families and Child Find BC hosts these Child Find ID Clinics throughout BC. Child Find BC provides education, including public speakers, literature and tips for families to assist them in keeping all of our children safe.

We hope that you will raise this proclamation for consideration to your Council and your community at your next meeting.

Most recent reporting from the RCMP (2017) show that 7,459 cases of missing children were reported in British Columbia Through the support of municipal governments like yours we are able to educate and bring awareness to thousands of BC families on this important issue.

Thank you so much for your consideration of this request and your continuing commitment to Community Services in BC and the children and families of BC. If you have any questions regarding this request please contact the Child Find BC office at 1-888-689-3463.

Yours truly,

Crystal Dunahee President, Child Find BC



If you or your organization would like to host an "All About Me" ID clinic, have an idea for an event in your community or would like literature and information on becoming a member and supporter of Child Find BC, please call us at 1-888-689-3463.

Victoria Office 2722 Fifth Street, 208 Victoria, BC V8T 4B2 (250) 382-7311 Fax (250) 382-0227 Email: childvicbc@shaw.ca

"A charitable non-profit organization working with searching families and law enforcement to reduce the incidence of missing and exploited children."

> A Míssíng Chíld ís Everyone's Responsíbílíty

Your Letterhead here

National Missing Children's Month and Missing Children's Day

- **WHEREAS** Child Find British Columbia, a provincial member of Child Find Canada is a non-profit, registered charitable organization, incorporated in 1984; *AND*
- **WHEREAS** The Mandate of Child Find British Columbia is to educate children and adults about abduction prevention; to promote awareness of the problem of missing children, and to assist in the location of missing children; *AND*
- **WHEREAS** Child Find has recognized Green as the colour of Hope, which symbolizes a light in the darkness for all missing children; *AND*
- **WHEREAS** Child Find's annual Green Ribbon of Hope Campaign will be held in the month of May and May 25th is National Missing Children's Day; *AND*

THEREFORE BE IT RESOLVED THAT

I, (Mayors Name) of the (city, town, municipality), do hereby proclaim May as Child Find's Green Ribbon of Hope month and May 25th as National Missing Children's day. I urge our citizens to wear a green ribbon as a symbol of Hope for the recovery of all missing children; and to remain vigilant in our common desire to protect and nurture the youth of our Province.

	Мауо	r
Signed at	this	day of May, 2018

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Local Government Program Services

... programs to address provincial-local government shared priorities

UBCM

Administration provided by UBCM

Funding provided by Province of B.C.



For program information, visit the Funding Programs section at:

www.ubcm.ca

LGPS Secretariat

Local Government House 525 Government Street Victoria, BC, V8V 0A8

E-mail: lgps@ubcm.ca Phone: (250) 356-2947 April 20, 2018

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

<u>Re: 2018 Emergency Operations Centres & Training - Approval and</u> <u>Terms & Conditions</u>

Dear Mayor and Council,

Thank you for submitting an application under the Community Emergency Preparedness Fund for the 2018 Emergency Operations Centres & Training program.

I am pleased to inform you that the Evaluation Committee has approved funding for your project, *EOC Capacity Building Project*, in the amount of \$24,560.00.

As outlined in the Program & Application Guide, grant payments will be issued when the approved project is complete and UBCM has received and approved the required final report and financial summary.

The Ministry of Transportation & Infrastructure has provided funding for this program and the general Terms & Conditions for this grant are enclosed. In addition, in order to satisfy the terms of the contribution agreement, we have the following requirements:

- The funding is to be used solely for the purpose of the above named project and for the expenses itemized in the budget that was approved as part of your application;
- (2) All expenditures must meet eligibility requirements as defined in the Program & Application Guide;
- (3) All project activities must be completed within 12 months and no later than <u>April 22, 2019;</u>
- (4) The final report is required to be submitted to UBCM within 30 days of project completion and no later than <u>May 24, 2019;</u>
- (5) Any unused funds must be returned to UBCM within 30 days following the project end date.

Applicants who submitted funding requests for Justice Institute of British Columbia (JIBC) Emergency Operations Centres courses are advised that if an EOC course is approved for funding under the regular Provincial EOC training program, this cost will no longer be eligible through the CEPF grant.

Please note that descriptive information regarding successful applicants will be posted on the UBCM and/or provincial government websites, and all final report materials will be made available to the provincial government.

On behalf of the Evaluation Committee, I would like to congratulate the Resort Municipality of Whistler for responding to this opportunity to develop EOC capacity to support the resiliency of BC communities.

If you have any questions, please contact Local Government Program Services at (250) 387-4470 or by email at cepf@ubcm.ca.

Sincerely,

Rebecca Bishop Program Officer

cc: Erin Marriner, Emergency Program Coordinator

Enclosure



Local Government Program Services

General Funding Terms & Conditions

The purpose of the Terms & Conditions is to provide basic information on grants administered by the Union of BC Municipalities through Local Government Program Services (LGPS). For specific information regarding the terms and conditions of each funding program, please refer to the relevant Program & Application Guide.

1. Definitions

- Approved Applicant In general, LGPS grants are awarded to local governments (regional districts and municipalities). However, under some programs, First Nations can be the approved applicant. The approved applicant is the primary contact for UBCM and is responsible for overall grant management.
- Approved Partner(s) Are organizations that contribute directly to the approved project, are identified in the application and are approved by UBCM. Possible partners include, but are not limited to, boards of education, health authorities, First Nations or aboriginal organizations, non-profit organizations and local governments (other than the applicant).
- Approved Project Is the activity or activities described in the application and approved by UBCM.
- Cash Expenditures Are direct costs properly and reasonably incurred and paid for with money by the approved applicant or approved project partner for the development or implementation of the approved project. For example, catering and consultant fees can be cash expenditures.
- In-Kind Expenditures Are the use of resources of the approved applicant or approved project partner for the development or implementation of the approved project. For example, the use of meeting rooms owned by the applicant or approved partner can be an in-kind expenditure.

2. Eligible & Ineligible Costs

Eligible costs, including cash and in-kind expenditures, are direct costs properly and reasonably incurred by the approved applicant or approved partner as part of the approved project. To be eligible, these costs must be outlined in the detailed budget submitted by the approved applicant as part of the application process and be approved by UBCM. Requests to change the budget must be made to UBCM, in writing, by the approved applicant (see below). Please see the relevant Program & Application Guide for specific notes regarding eligible and ineligible costs.

3. Post-Approval Terms

Notice of Approval

UBCM will inform all applicants of the status of their application by letter. Approved applicants will be informed of specific conditions of the grant approval and if a specified percentage of the approved grant amount will be forwarded to the approved applicant upon approval. The balance of the grant will be paid on satisfactory completion of the project and receipt and approval of all final reporting requirements.

Applicant Responsibilities

LGPS grants are awarded to approved applicants. When collaborative projects are undertaken, the approved applicant remains the primary organization responsible for the grant. Due to this, the approved applicant is the primary contact for UBCM and is responsible for:

- Ensuring that approved activities are undertaken as outlined in the approved application and within the required timeline
- Providing proper fiscal management of the grant and approved project (see below)
- Submitting final reports, using UBCM forms where available, as required by the Program & Application Guide (see below).

Local Government Program Services - General Funding Terms & Conditions (February 2017)

Accounting Records

Acceptable accounting records must be kept that clearly disclose the nature and amounts of eligible expenditures (cash and in-kind) incurred as part of the approved project. Financial summaries are required to be submitted as part of the final report and must be signed by a representative of the approved applicant (or as required in the Program & Application Guide).

In all cases, the final project expenditure must be net of any rebates (such as GST/PST) that the approved applicant or approved partner is eligible to receive.

Changes to or Cancellation of Approved Project

Approved applicants need to apply to UBCM, in writing, for any significant variation from the approved project as described in the approved application, including any major changes to:

Start or end dates

- Project purpose, goals, outcomes or milestones
- Cash and in-kind expenditures or matching funds (when required)
- Project partners

UBCM's approval is required in advance for such changes. If an approved project is cancelled, the approved applicant is responsible for ensuring any grant monies that have been advanced are returned to UBCM within 30 days, or as outlined in the Program & Application Guide.

4. Reporting Requirements

Submission of Reports

Approved applicants are required to submit final reports as outlined in the Program & Application Guide. When UBCM forms or templates are available, they are required to be used. Please note the following when submitting a report:

- When completing a UBCM report form please ensure that each question is answered and that all attachments are complete. Follow any sample templates that UBCM provides.
- Submit all documents as Word or PDF files. Note: files over 20mb cannot be accepted.
- Submit all digital photos or images as JPEG files. Note: files over 20mb cannot be accepted.
- If a hardcopy of the report is required, do not bind reports or submit in binders or folders.
- When you are ready to submit your report, please e-mail it directly to lgps@ubcm.ca or mail it to Local Government House: 525 Government Street, Victoria, BC, V8V 0A8.

Extensions and Outstanding Reports

In order for an approved project to continue past the approved end date – or for a final report to be submitted after the established deadline – approved applicants must contact UBCM to request <u>and be granted</u> permission for an extension.

Approved applicants that do not request extensions and have outstanding reports may forfeit the final payment of their grant and may not be eligible to apply to future LGPS programs until reports are received.

5. Recognition of Funding and Funders

Approved applicants should contact UBCM for more information on recognizing funding and for information on the appropriate use of logos. Please contact LGPS at (250) 356-2947.

From: Patrick Smyth <<u>patrick@whistler.tc</u>> Sent: Monday, April 23, 2018 7:56 AM To: corporate Subject: Second Letter to council

Addendum

Dear Council,

Please accept this letter as an addendum to my last one.

I believe in miracles. As an ordained minister, I know in my soul that things can happen with no explanation and we are blessed by them. I do not believe in coincidence.

Four hours and fifty-four minutes after sending my first letter to council, I received a response to my LOI. It was denied. What an amazing turn around.

"The third party in this matter has requested that the records be kept confidential. Pursuant to Section 21(1)(a)(ii) and section 21(1) of the Act, the Resort Municipality of Whistler will comply with the third party's wishes. Therefore, this record is being withheld."

My original questions still stand from my previous letter plus some.

Why did Council approve this development permit without first seeing the traffic study? Or did you see it?

If it was provided, then legally it must be public knowledge and provided to me without having to do an FOI. Surely, the RMOW must have asked for the Traffic Study as part of the application. If it is part of the development permit application requirement then it should be public information with no requirement for third party approval to release the document.

If you didn't see it, then why did you, as elected officials, approve the development?

Or, did you no ask for it?

Either way, you are withholding vital information from taxpayers because this traffic study is in your possession.

Honestly, I respect you as part of our democratic process but have to wonder once again why there is so much secrecy in the governing of the RMOW? We are not talking about national security, are we? (these are not rhetorical questions).

Star Wars 1 – the Phantom Menace, provides us with a wonderful quote: Palpatine: [Whispering to Queen Amidala] "Enter the bureaucrats, the *true* rulers of the Republic. And on the payroll of the Trade Federation, I might add."

So council members. Who is in charge? As a taxpayer I feel helpless.

Regards

Patrick Smyth PO Box 666 Whistler BC, VON 1B0

From: Patrick Smyth patrick@whistler.tc
Sent: April 19, 2018 11:54 AM
To: 'corporate@whistler.ca' <corporate@whistler.ca</pre>
Subject: Letter to council

Hi Shelley (or Wendy?),

See below. Please confirm receipt.

Regards

Patrick 🛈

Dear Council,

RE: Traffic Study for the Development Permit for the proposed subdivision and master planned development of District Lot 8078 at the entrance to Function Junction

I am fed up with the RMOW's closed door policy on getting information and by a general sense that council is hiding behind closed meetings, especially after verification of in camera meetings a Councillor's comments to the CAO some weeks ago that might not have been needed to be behind closed doors..

I first asked for a copy of the Traffic Study for the Development Permit for the proposed subdivision and master planned development of District Lot 8078 at the entrance to Function Junction from RMOW on January 11, 2018 9:14 AM via email.

On March 22, 2018 1:55 PM I was advised after repeating my request that I would have to file an FOI.

That's over 70 days to get an answer.

On March 22, 2018 2:26 PM I filed an FOI.

On March 22, 2018 4:33 PM I received an acknowledgement of my FOI.

On March 28, 2018 12:28 PM I received an extension to my request by 30 days from May 2, 2018 to June 13, 2018

I would like to point out that these 30 day requests and extensions are 30 business days. I get that. I have read the FOI Acts of a dozen jurisdictions. But let's look at this objectively.

It will be almost six months to complete a request if in fact my response is met at all. In that time the earth travelled 463 million kilometers through space. The distance from the planning department to the legal department at the RMOW is significantly less. The third parties are in Lillooet and Squamish. I could walk to Lillooet and back faster than this FOI is taking.

Notwithstanding and without prejudice, it is my understanding that the traffic study should have to be included with the council package last fall when this development permit was being done. Please correct me if I am wrong.

So, why it was withheld?

Why did Council approve this development permit without first seeing the traffic study? Or did you see it?

If it was provided then it should be public knowledge and provided to me without having to do an FOI. Surely, the RMOW must have asked for the Traffic Study as part of the application. If it is part of the development permit application requirement then it should be public information with no requirement for third party approval to release the document.

An on the FOI, why would what is supposed to be a public document require third party-developer approval?

Regards,

Patrick Smyth PO Box 666, Whistler, BC VON 1B0 From: Patrick Smyth [mailto:patrick@whistler.tc]
Sent: Wednesday, April 25, 2018 12:28 PM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: Letter to council

Dear Council,

Selina Robinson, the BC Minister of Municipal Affairs and Housing, introduced new legislation this week to provide municipalities with the authority to zone land for rental-only housing development.

To what extent will the RMOW Council consider this type of zoning within our municipality?

Regards,

Patrick Smyth

From: Patrick Smyth [mailto:patrick@whistler.tc]
Sent: Wednesday, April 25, 2018 12:13 PM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: letter to council

Dear Council,

The municipal Council in Lillooet passed a resolution stating that District of Lillooet Council believes "public rail transportation will improve public safety, reduce greenhouse gas emissions and enhance economic development opportunities throughout the entire former BC Rail corridor."

Mayor Lampman said she is waiting on ridership data from the provincial government. The data is from when the BC Rail passenger train service was in operation and she will then share that data with VIA Rail in a summary she is compiling. "VIA Rail has asked for that information," she told the News during Media Question Period. "The problem is that it's not on the computer and the province has to go into the archives to find it." The information package will be submitted to federal Minister of Transport Marc Garneau and he will decide if there will be a feasibility study.

I would ask the Council at the RMOW to also adopt a proactive policy with regards to working to restoring passenger rail service between North Vancouver and Prince George especially as we are facing more and more traffic issues.

Regards,

Patrick Smyth



City of Pitt Meadows

OFFICE OF THE MAYOR

Date: April 26, 2018

To: Elected Officials, LMLGA Member Municipalities

Subject: 2018 LMLGA Resolution: Disqualification from Holding Elected Office

I am writing to seek your support of the City of Pitt Meadows LMLGA resolution, page 57 of the LMLGA Annual Report:

WHEREAS Council has no authority to seek the removal of a council member who has been criminally convicted;

AND WHEREAS The Honourable Minister Selina Robinson, Ministry of Municipal Affairs & Housing, has recommended that the City of Pitt Meadows advocate through LMLGA and UBCM for appropriate changes to the governing legislation for local government;

AND WHEREAS The Honourable Minister Selina Robinson, Ministry of Municipal Affairs & Housing, has advised that her Ministry is prepared to work with UBCM on the issue;

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to make whatever legislative changes are needed to:

- Require that an elected local government official be put on paid leave immediately upon conviction of a serious criminal offence (to be defined by legislation) until the expiration of the time to file an appeal or determination of an appeal; and
- Require that an elected local government official be disqualified from holding office upon conviction of a serious criminal offence (to be defined by legislation) upon the expiration of the time to file an appeal or determination of an appeal.

Most of you are aware of the situation in Pitt Meadows where we had a Councillor convicted of a sexual assault criminal offence. I had no tools to seek his resignation and had to fall back

on my personal relationship with the individual to convince him to do what was right for the community and resign. He did so within hours of my request but it was an awful situation and one that has to be resolved through changes to Provincial legislation. It is a complicated issue but one that we cannot ignore.

I will be at LMLGA to speak to the matter. If any member of your Council would like to communicate with me ahead of time I would welcome the opportunity to chat.

Yours Truly,

John Becker Mayor

From: Crosland Doak [mailto:crosland@croslanddoakdesign.com] Sent: Monday, April 23, 2018 6:11 PM To: corporate <<u>corporate@whistler.ca</u>> Subject: Fwd: Artificial Turf Field Support

To Mayor & Council (post cc'd Corporate)

Begin forwarded message:

From: Crosland Doak <<u>crosland@croslanddoakdesign.com</u>> Subject: Artificial Turf Field Support Date: April 23, 2018 at 4:04:24 PM PDT To: <u>cjewett@whistler.ca</u>, <u>smaxwell@whistler.ca</u>, John Grills <<u>jgrills@whistler.ca</u>>, <u>jford@whistler.ca</u>, Steve Anderson <<u>sanderson@whistler.ca</u>>, Jack Crompton <<u>jcrompton@whistler.ca</u>>, Wanda Bradbury <<u>wbradbury@whistler.ca</u>> Cc: Michelle Forster <<u>whistlersoccer@hotmail.com</u>>, PJ O'Heany <<u>PJWYSC@me.com</u>>

Mayor & Council,

In the wake of some recent rumblings and misguided opposition to the new Artificial Turf Field project, I would like to remind Council of the consistent and overwhelming support that has been shown over the years to get this project approved. If a natural grass field could provide the enhanced performance, extended season and reduced maintenance and water consumption, that the artificial can, natural grass would likely have been selected but I will not rehash the arguments and the evident based decision making you have undertaken to date in approving this project.

I too am concerned about needless one time use plastics but this field serves a magnificent community service for all ages and will be recycled at its life end. If we are to start banning facilities and sporting equipment based on their plastic content, then are we also willing to ban downhill and cross-country skis, ski boots, running shoes, hockey sticks and skates, mountain and road bikes, tents, sunglasses and goggles and yes kayaks too... need I go on?

Please do not let a few idealistic, globetrotting plastic kayakers undo years of community work. That would be the polypropylene calling the polyethylene 'plastic'. Play on...

Crosland Doak, MBCSLA, BLA, BArch.



Crosland Doak Design 604 966-8309 3121 Alta Vista Rd Whistler BC V0N 1B3

croslanddoakdesign.com

From: William Trousdale [mailto:william@ecoplan.ca]
Sent: Monday, April 23, 2018 5:32 PM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: Strongly Support Turf Field

To: Mayor and Council

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

This letter is to reiterate my support for a turf field. Whistler can certainly afford this important asset, a significant part of our active community. It will be well used and contribute greatly to the community, to families and to all those that want to be active.

Best,

William Trousdale 8256 Woodland Place william@ecoplan.ca 604-518-2112 From: dave craig [mailto:attycraig@gmail.com] Sent: Tuesday, April 24, 2018 11:02 AM To: corporate <<u>corporate@whistler.ca</u>> Subject: Soccer field

Dear Mayor and Council,

I have been around Whistler for 26 years. Local tax payer, business, and home owner. I have two kids in elementary school here, both play soccer in the local league.

I do not support the idea of using a plastic, or non natural cover for a soccer field.

Too much money, just isn't "Whistler" like, and "WTF" are we doing here people?

We are banning plastic straws, and banning plastic bags, saving the world every where, but no, Whistler is not using natural grass and adding a crumb rubber field for 3x the cost of Natural? Giant mistake. Please consider using natural turf.

Signed, Soccer fan

Dave Craig 8224 Black Bear Ridge Whistler, BC V0N1B9 <u>attycraig@gmail.com</u> 604-932-0895 From: John and Fiona Minton [mailto:johnfiona@shaw.ca] Sent: Tuesday, April 24, 2018 11:00 AM To: corporate <<u>corporate@whistler.ca</u>> Subject: Support of Turf Field

Dear Mayor and Council

Myself and my family wish to voice our support of the proposed turf field project.

Both my children and I have been involved in the Whistler Youth Soccer Club for the past 9 years, a great club with strong membership. Our only issue is that our season is cut short with the weather conditions in late fall, we have to commute to Squamish if we wish to continue the season.

An incredible amount of time and work has gone into the turf field project and we would like to see this project move forward without delay.

Kind regards

John, Fiona, Robyn & Fern Minton 8389 Ski Jump Rise Whistler BC VON 1B9

home: 604 905 1131 cell: 604 932 7719 email: johnfiona@shaw.ca From: Luke Soane [mailto:lukesoane@rocketmail.com] Sent: Tuesday, April 24, 2018 8:05 AM To: corporate <<u>corporate@whistler.ca</u>> Subject: Turf Field

To Mayor and Council,

My name is Luke Soane and I am one of the many soccer athletes in Whistler.

I am now at a stage where I play rep soccer competitively three times a week and the Turf Field is very important to me and to all the players in Whistler as well as the Sea2Sky and the Lower Mainland.

Please build it. Sincerely, Luke Soane 8131 Meadow Lane Whistler BC VON 1B8 <u>lukesoane@rocketmail.com</u> From: <u>ksoane@telus.net</u> [mailto:ksoane@telus.net] Sent: Tuesday, April 24, 2018 10:47 AM To: corporate <<u>corporate@whistler.ca</u>> Subject: support of Turf Field

Dear Sir/Madam,

I am writing to you to express my unequivocal support of the proposed turf field, and I urge you to please pass the motions for it's approval.

I am a parent and long-time resident of Whistler, with three children, all of whom have played or are still playing soccer. My son has played since he was 5 years old and he is now 14, and represents Whistler on the U15 Boys Rep Team. This team plays year-round, and these boys, as well as many others in the community have soccer as one of their main athletic pursuits. These boys are serious about learning and growing their game, and competing strongly against teams from the Sea to Sky corridor and the Lower Mainland.

This turf field provides them and so many others with the ability to train, practice and play for many more months of the year than would be possible with grass. This field would also allow our teams to host games, instead of demanding our players always travel to either Squamish or the Lower Mainland. And if anyone thinks this field is only for soccer they are indeed mistaken. So many other sports and clubs would be the beneficiaries of this addition to Whistler facilities.

Please build this field.

Thank you, Karen Willms

ksoane@telus.net

8131 Meadow Lane Whistler, BC VON 1B8 From: Connect Hospitality Strategies profit.people.planet [mailto:chsprofit@gmail.com]
Sent: Wednesday, April 25, 2018 11:12 AM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: Letter in support of the Artificial Turf Field Project

Dear Mayor and Council

My name is Caroline Bagnall and I would like to extend my full support for the Artificial Turf Field Project. I am coach for the u10 Boys soccer team and have been a member of the Whistler Youth Soccer Club for the past five years. In addition, I have been a Whistler resident since 1995, I am a parent of two elementary school children, an active community member and a tireless volunteer.

It is my belief that an artificial turf field will be greatly beneficial to not only the Soccer Club but to other athletic associations and sports groups in our community. The plain truth is that the demand for our current inventory of grass field vastly exceeds the supply. We are held hostage by weather, drainage and use.

A turf field will give our athletes - young an old - access and opportunity to cross train, thus enabling them to develop physical balance, endurance and be less prone to injury. Whistler residents deserve an opportunity to cross train out of doors on terrain that is less impacted by our mountain conditions.

"Diversity is the key to stability."

No one wants a field that is environmentally harmful and I trust in the diligent efforts of the RMOW staff when they assure us that the product specified will meet Coastal Health guidelines.

In closing, I support the Artificial Turf Field Project and believe that it will enrich our community and strengthen Whistler's position as a multi-sport community. Sincerely

Caroline Bagnall 26-2720 Cheakamus Way Whistler BC V0N1B2 604-938-3678

Dale Barker 604-966-4856 <u>Dalebarker09@gmail.com</u> 8-8138 Cedar Springs Road Whistler, BC, VON 1B8

Tuesday 24th April 2018

Re: Whistler Artificial Turf Field Project

Mayor and Council,

My name is Dale Barker, I coach soccer to the children of Whistler through the Whistler Youth Soccer Club (WYSC) and run the Whistler Men's Soccer Team. I am writing this letter in support of the Artificial Turf Field Project in Whistler. I have been closely monitoring the project and the debate surrounding it and would just like to let you know my thoughts on the subject.

I believe the turf project will be a great addition to the Whistler community and not just from a soccer perspective as the turf will be able to accommodate other sports and activities. I know there is a growing presence of Rugby in Whistler for example and other sports such as Lacrosse and Ultimate Frisbee are often played on turf fields so this project can open new opportunities to the community.

Looking at the project from a soccer perspective I believe it will be a great addition to Whistler. From my experiences with the WYSC it is obvious that the children enjoy soccer the most when they are playing outside where the playing space isn't size limited and they are playing with their correct goal and pitch sizes. The turf would provide an excellent opportunity to keep the children playing outside for longer in the fall and earlier in the spring months. It would also benefit the children who play rep team soccer in Vancouver as every game they play in the city is on a turf field so by having our own turf the children can be more customised to the playing conditions of a turf field (for example the speed and bounce of the ball on the surface).

Then there is also the adult soccer in Whistler. First off the summer league in Whistler is extremely popular with new teams being rejected the past couple of years as we only have the ability to have 8 teams in the league for various reasons. The turf could provide an extra field to play on which may in part allow the summer league to grow and have more people involved. The Whistler Men's team is also growing each year, I have had around 40 players represent the team this season including five from the WYSC. The turf would provide the Whistler team with a 'home' field so we could play games in Whistler more frequently while the grass fields are closed instead of travelling down to Squamish every Sunday. We also play indoor sessions throughout the year and have had to set up our own weekly session due to the popularity of the drop-in sessions organised by the community. The turf would give us the ability to play outdoor more as well as run a fall/spring league in Whistler which is something I would be keen to organise. I have been thinking about a 7-a-side co-ed league where we would split the turf in half so that two matches could be played simultaneously. I believe we would have a lot of interest in this league and will pursue the idea during the summer.

A final thought on what the turf could bring to the community is that of business. Whistler is known as a place for excitement and adventure, a place where people come from all over the world to have fun and engage in all sorts of activities. With a turf field Whistler can become a spot for soccer

Dale Barker 604-966-4856 <u>Dalebarker09@gmail.com</u> 8-8138 Cedar Springs Road Whistler, BC, VON 1B8

teams to come and train whilst also enjoying team bonding through the plethora of activities Whistler has to offer. The majority of soccer clubs from around the world take their teams abroad for training camps where they not only train but they bond and explore new places. For example the Squamish U18 team are going to the UK this summer for a tour where they will train/play games and explore parts of the UK. Whistler falls into this category and could be a future destination for soccer clubs from Canada and further abroad which in tow will bring more business into Whistler profiting the local community and businesses.

In summary I strongly recommend the turf project and believe it will be of great benefit to Whistler and its community. I would be more than happy to discuss the project and my thoughts if you would like in the future.

Yours Sincerely,

Dale Barker



April 24, 2018

Mayor & Council Resort Municipality of Whistler Via e-mail: MPardoe@whistler.ca

Dear Mayor & Council,

As you are aware, over the past number of years Whistler Sport Legacies (WSL) has branched out beyond the core sports we represent at our legacy venues. This specifically includes our partnership with Canadian Sport Institute Pacific, located at the Whistler Athletes' Centre, where we have a cross-section of high performance athletes.

As WSL continues to work at engaging our community at all levels of the Canadian 'Sport for Life' model, it is apparent there are opportunities in our community with regards to outdoor facilities for field sports. Each year, we believe there is at least four months of loss of use due to unplayable conditions on our grass field(s) during spring and fall.

I would like to applaud the RMOW staff for their diligent research into the options for providing the community with additional and much needed field space and the engagement of the community and the RLAC committee in the final decision.

The addition of an all-weather turf field in the community will extend the season, increase playing time and will greatly enhance the development of field sports in our community. I anticipate the greatest benefits for this facility will be for our youth at the 'active start' and 'fundamental' stages of the athlete development. We will now have a facility that is not impacted by the unpredictable spring and fall weather in Whistler and provide an opportunity for the children in our community to be involved field sports that are inclusive and affordable.

WSL is 100% in support of the turf field proposal and looks forward to partnering with Resort Municipality of Whistler to grow participation in field sports at all levels when this facility is completed.

Sincerely,

Roger Soane

President and CEO Whistler Sport Legacies



Whistler Sport Legacies

Mail:1080 Legacy Way, Whistler, BC, Canada V0N 1B1Street:4910 Glacier Lane, Whistler, BC, Canada V0N 1B4Web:www.whistlersportlegacies.com

From: Luke Ferdinands [mailto:lferdinands@gmail.com]
Sent: Monday, April 30, 2018 3:06 PM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: Letter to Mayor and Council re proposed soccer field

Dear Mayor and Council,

I'm writing to register my strong support for the Artificial Turf Field Project for Bayly Park in Cheakamus Crossing. As a family here in Whistler we are all looking forward to the benefits of an outdoor recreation facility that can be used for a variety of sports, for the majority of the year.

As a former competitive soccer player I played for many years on artificial turf surfaces and have nothing but positive things to say. The fields are durable and relatively low impact when compared to the demands for water, fertilizer and maintenance for a grass field. Couple that with the drainage capabilities of the turf fields and we have a surface that is playable for many months, and in some years, likely all year round.

While we refer to this as a soccer field the reality is the amenity could benefit many other user groups be it football, frisbee or other activities. It will also reduce the amount of travel that families are doing now to get their kids to "home" matches in Squamish or North Van (on turf fields there).

The soccer field as proposed will be an excellent community amenity that will benefit families and other residents in the valley for years to come. I look forward to watching this project begin.

Sincerely, Luke Ferdinands 2848 Clifftop Lane Whistler, BC V0N 1B1

Email <u>Iferdinands@gmail.com</u> Tel 604-962-4225 From: Ann Duffy [mailto:ann@annduffygroup.com]
Sent: Wednesday, May 02, 2018 10:02 AM
To: corporate <<u>corporate@whistler.ca</u>>
Subject: Follow Up: RMOW's Best Sourcing Practices Related to the Artificial Turf for the Soccer Field

Dear Mayor and Council,

Re: Responsible sourcing and management of the proposed artificial turf for Bayley Park soccer field.

As conveyed in my question to you at the last Council meeting, I am in support of the community having an upgraded/hardier soccer field.

My hope is that decision-making associated with the sourcing, management and responsible disposal/recycling of the artificial turf incorporates protecting human health and environmental interests along with ensuring the best value for money given these combined interests.

In my experience, analyzing and choosing the best options involves evaluating impacts and weighing options while providing transparency to stakeholders along the way

Given the attention this project has attracted, my hope is that the municipality will apply some best practices for sourcing. Whistler's sustainability oriented people and professionals have learned these practices over the years through the development of Whistler2020 OCP, Vision and Plan and certainly in the run up to the Vancouver2010 Olympic and Paralympic Winter Games planning, hosting and winding-down project phases. These practices mirror best practices with other leading smart Canadian cities and towns (including Canmore):

1) RMOW Council and RMOW Project Team to Use Stakeholder Engagement Input to Develop Evaluation Criteria for Sourcing Product Options.

2) Gather and analyze evidence-based science and information on human health, environmental impacts associated with artificial turf products. Develop specifications that include human health and environmental management elements. Develop a weighting scheme of criteria as part of the tender evaluation process.

3) Embed human health and environmental specifications, as well as, value for money as part of the tender package.

• It seems the community is especially interested in value for money while addressing human health and environmental impacts. Given input from the Vancouver Coast Health Authority and others, avoid or minimize crumb "rubber" which is not rubber (a natural product) but typically recycled tires (with volatile organic compounds). Perhaps there are other crumb or equivalent solutions? And, given long term disposal concerns, include responsible disposal/recycling in the tender package and subsequent vendor contract.

4) Evaluate (weigh options against criteria) and Award Contract

5) Monitor contract for the life of the product used in Whistler including responsible disposal. This assumes oversight of RMOW project staff associated with contracting, monitoring and reporting the sourcing and management of the artifical turf and its responsible disposal/recycling of the product after use.

6) RMOW provides timely information, responds to concerns and interests, and provides on-going reporting for the RMOW community throughout this process.

I am not sure of the details of the RMOW Procurement Policy. Typically this type of integrated approach links broad stakeholder engagement and input, supply chain engagement, contract management, and ongoing internal and external reporting. These are also lessons learned from the 10 year bid and hosting experience of the Vancouver2010 Olympic and Paralympic Games.

Thank you, Ann Duffy Chief Sustainability Officer, Vancouver2010/VANOC (5 years) International Sustainability Consultant, mother and Whistler resident

8220 Valley Drive Whistler, BC V0N 1B8
To: Mayor and Council.

Re zoning for above lot. When this lot 17 was transferred by ""MINISTRY OF ENVIRONMENT, LANDS AND PARKS" to correct an error made by RMOW when Aspen Ridge was developed as this lot 3 is part of "ASPEN RIDGE".

The condition for this transfer was """provide access to lands beyond described as Lot 3, Plan 16634,D>5412 """SINGLE FAMILY ZONED LOT"". Attached to this transfer was a" REVERSIONARY 'clause by the Ministry of Lands.."" IN THE

EVENT THAT LOT 17, DISTRICT LOT 4978, PLAN 19838 IS USED FOR ANY OTHER PURPOSE OTHER THAN PUBLIC ACCESS THE LAND WILL THEN REVERT BACK TO THE CROWN. "" If this rezoning proceeds does it mean that RMOW is in violation of the

transfer order by "" MINISTRY OF ENVIRONMENT LANDS AND PARK"""who gave permission for access for ""1"" 5,000 sq ft house plus a carriage house...??

Why should the long term residents of Garibaldi Way have to bear the burden of this oversight by RMOW when signing off on Aspen Ridge.? Please advise . Thank you

Stella Benteau, 2073 Garibaldi Way, Whistler

From: Janey Manning <<u>janeymanning@shaw.ca</u>> Sent: Tuesday, May 1, 2018 9:41 PM To: corporate Subject: Letter to Mayor and Council re: 2077 Garibaldi Way RMOW REFERENCING NESTERS CROSSING ZONING AMENDMENT BYLAW 2187

Yet another letter to you all - Mayor and Council -I give my total support to the above zoning amendment Bylaw 2187! You are ALL missing the point ! It is a creative, affordable & sustainable opportunity to provide additional resident/employee housing! Yet, you will willing DESTROY a neighbourhood by considering approval of 74 units on a 2 acre site zoned for a single family home in Nordic, on the guise that you are providing "affordable" employee housing!" Please review and digest my letter below!!!!My opinion has not changed! AND yours most definitely should! Again I repeat, SHAME ON YOU !!!! Jane and Paul Manning Phone contact & addresses below.

From: Janey Manning [mailto:janeymanning@shaw.ca]
Sent: March-13-18 12:18 PM
To: 'wbradbury@whistler.ca'
Cc: 'jcrompton@whistler.ca'; 'sanderson@whistler.ca'; 'iford@whistler.ca'; 'smaxwell@whistler.ca'; 'jgrills@whistler.ca'; 'cjewett@whistler.ca'
Subject: Letter to Mayor and Council re: 2077 Garibaldi Way

Dear Mayor and Council,

On Dec 19th the RMOW proposed and council resolved to proceed with a rezoning for a 74 unit employee restricted rental apartment building on a 2-acre site currently zoned for a single-family home in Nordic. Among other things, this site at 2077 Garibaldi Way has only 50 feet of frontage and is accessed between 2 single family homes off the end of a single family cul-de-sac and the proposed density is more than double that of most townhouse developments in the area.

This past Tuesday, March 6th, the RMOW administration advised against and the RMOW council ultimately resolved not to proceed with a rezoning at Nesters Crossing that would allow Whistler businesses to increase accommodation within their own premises for their own staff from 1 suite to 4 suites. Nesters Crossing is an industrial subdivision with lots ranging from 0.75 - 4.2 acres each adjacent a lit valley trail.

The logic is hard to understand and accept. In Nordic the Administration and Council are okay with seriously compromising the nature of a single family residential zone. At Nesters Crossing the Administrator and Mayor are very outspoken in their opposition to a very modest (1 to 4 units) increase of employee housing by businesses within their own premises for their own staff because they wish to preserve the nature of an industrial zone.

Both above decisions are nonsensical! We the residents and tax payers of Nordic /Whistler deserve better! RMOW and Council should be ashamed of themselves!

Sincerely, Paul and Jane Manning #31 2544 Snowridge Circle and #20 2301Whistler Highland. 604-250-2247 Colin Solly 8123 Alpine Way Whistler, BC VON 1B8

May 1, 2018

Resort Municipality of Whistler 4325 Blackcomb Way Whistler, BC VON 1B4

Attention: Mayor and Council

Dear Mayor Wilhelm-Morden and members of Council,

Re: Nesters Crossing zoning amendment bylaw 2187, 2018

I have a shipping container used for business and personal storage in Alpine. Notwithstanding that my container pre-dates RMOW zoning amendments against shipping containers in residential neighbourhoods, I would like to move this container in the future to Nesters Crossing so am writing to support this zoning amendment.

Respectfully,

John Solly

Dave and Laura Kinney 2037 Garibaldi Way Whistler, BC V0N 1B2

May 1, 2018

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

Attention: Mayor and Council

Dear Mayor Wilhelm-Morden and members of Council,

Re: Nesters Crossing zoning amendment bylaw 2187, 2018

We have owned and operated Mountain Paint and Home Décor in Function Junction for over 20 years. The zoning for the building at our premises allows up to 4 auxiliary dwelling units.

Over the years, depending on the different tenants and their needs we have had the flexibility to have offices or a residence. The space above our store has gone from being the managers office for Garibaldi Building Supply, to our office and a craft centre, to a residential suite, back to an office for an engineer and construction company and, in the last 4 years, back to a suite for a local employee.

At the other end of the building, Whistler Transit used to have a sleeping room for drivers which is now a party room for Bounce. Whistler Transit's former offices are now a 2 bedroom suite for Bounce employees.

The employee housing situation has never been worse. The flexibility for housing employees within Function has been beneficial to businesses and the community as a whole. While we support the Nesters Crossing rezoning we believe an opportunity for some reasonable resident housing similar to what is allowed in Function has been missed.

Kind regards,

Rave - faura Kinney

Dave and Laura Kinney

May 1, 2018

Legislative Services Department Resort Municipality of Whistler 4325 Blackcomb Way Whistler, B.C.

Dear Mayor and Council,

Re: Zoning Amendment Bylaw (CTI1 Zone) No. 2187, 2018

This letter is to express my support for the amendments of the above noted bylaw.

I am familiar with the application and attended the March 6th Council meeting when applicant's proposed amendments were first considered. The debate regarding the additional auxiliary dwelling units left me bewildered. I am in total agreement with Councillors Steve Anderson, Jen Ford and Cathy Jewett who supported the requested three additional dwelling units per parcel, and disagree with the arguments presented by the three members of Council opposed.

As a member of the local workforce I am challenged to find both accommodation and shop space to run my local tree service and commercial tree clearing business from, both services are highly needed in this community. The services that I provide locally are currently only provided by others from out of town. I firmly support the proposal to provide housing for employees of the businesses in this location. The Nesters Road properties are in a highly central location, close to Meadow Park, and on the well illuminated Valley Trail. I regard the additional units to be a very progressive proposal and an opportunity for employers to be part of the solution to a very big challenge.

In listening to the discussion on the landscaping request I found the matter confusing and reviewed both the bylaw and the presentation. Simply stated, the staff report does not accurately reflect the facts. The ten percent is in addition (stated in the bylaw) to the tree buffer resulting in an effective landscape requirement far in excess of ten percent for the parcels on the north side of Nesters Road. For the record, the tree buffer is on private property for the benefit of the golf course, and not on a CN Rail ROW.

In closing, it is my recommendation that the additional auxiliary dwelling units for employees of the businesses on-site be reconsidered. And, the landscaping requirements be reviewed with the facts straight. The area is well buffered from all directions and is too valuable to be consumed by thirsty landscaping which is really far in excess of ten percent.

Respectfully submitted,

Jason Tarbet Whistlerite on the move

1281 Oceanview Road, Bowen Island, BC V0N 1G1

May 1, 2018

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

Dear Mayor and Council,

I have observed with interest the March 6th and April 24th RMOW Council Meetings and specifically the reports and discussions around the CTI1 Rezoning Application from the owners of Nesters Crossing.

As someone who was on Council in 2008 when the CTI1 Zoning was first adopted, I am surprised at the constant characterization of the zoning in the Staff reports and Council discussions as being Heavy Industrial. When the CTI1 Zone was adopted in 2008, it was for Community Transportation and Infrastructure and included Light Industrial, Service Commercial, Recreation and some Heavy Industrial uses.

The notion that it was not meant for general public access, some retail and even some employee residential is simply incorrect. Furthermore, the rationale that four employee units per parcel is inappropriate because this zone was limited to Heavy Industrial is based on factually incorrect assumptions.

Given the critical need for additional employee restricted units in Whistler, and the Nesters Crossing businesses to house a few of their employees on site, it would make a lot of sense to consider amending the zoning to allow it.

Yours sincerely,

Tim Wake

From: Leslie Disler <<u>lesliedisler@gmail.com</u>>
Sent: Tuesday, May 1, 2018 9:47 PM
To: corporate
Subject: re: Zoning admenment 2187, 2018

Willi and Leslie Disler 2620 Point Grey Road Vancouver, BC V6K 1A5

May 1, 2018

Mayor and Council Resort Municipality of Whistler <u>4325 Blackcomb Way</u> <u>Whistler, BC V0N 1B4</u>

Dear Mayor and Council,

We are owners of a duplex at 2122 Drew Drive which backs onto a tri-plex residence at 2125 Lake Placid Road. The Lake Placid Road tri-plex has a shipping container in their rear yard used for storage of the residents' goods and equipment.

We are writing in support of zoning amendment 2187,2018 which would allow for this container and the goods and equipment to be stored in an appropriate location at on Nesters Road.

Yours truly, Willi and Leslie Disler

Willi (604) 218 8056 <u>wdisler@gmail.com</u> or Leslie (604) 318 6661 <u>lesliedisler@gmail.com</u> Mons Holdings Ltd. 2576 Snowridge Crescent Whistler, BC V0N 1B2 Tel 932-9600 cel 905-8648 E-mail: sjbayly@telus.net

May 2, 2018

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

Dear Mayor Wilhelm-Morden and Members of Council,

Re: RZ1135 Public Hearing, Zoning Amendment Bylaw 2187, 2018

We are writing to clarify and set the record straight on statements made in the Nesters Crossing staff report, and by staff, Mayor and members of Council at the March 6th and April 24th RMOW Council Meetings, to recommend approval of bylaw 2187, 2018 and to recommend future amendments.

Staff Report

1. The CTI1 Zone is a site specific zone that applies to the Nesters Crossing industrial subdivision and was developed and adopted through an extensive five year rezoning process, with significant consideration by Council, staff, and the community.

The Staff Report, the Staff, the Administrator and the Mayor all state that an extensive five year rezoning process resulted in the Nesters Crossing Lands being zoned for Heavy Industrial purposes *only*.

In fact, the name and the intent of the zone have always been for <u>Community</u> and Transportation Infrastructure. Attached as Exhibit 1 is a copy of the current, the original (2008), and the 2009 CTI1 Bylaw showing permitted uses. Indoor and outdoor recreation, indoor storage for businesses, and parks and playground were added in 2009. Otherwise, the permitted uses have changed little from 2008 to present despite several reviews and amendments. The actual fact based evidence clearly shows that there has been little change from 2008 to the present despite several amendments. The permitted uses in the CTI1 Zoning Bylaw include the following which are Light Industrial, Service Commercial and Recreational uses that would typically attract the public as customers. These uses are **not** Heavy Industrial:

- c) fuel service station or card lock
- d) indoor recreation
- e) indoor storage for businesses
- g) landscaping services
- h) messenger or courier service

- i) motor vehicle maintenance and storage facility
- j) nature conservation parks and buffers
- k) non-motorized outdoor recreation excluding...
- I) parks and playgrounds
- m) storage and works yard including storage of construction equipment
- n) recycling depot for household goods
- o) taxi dispatch and storage yard
- p) vehicle impound yard

With the exception of heavy equipment maintenance and repairs, most of the permitted uses (as originally approved in 2008/09) are Light Industrial, Service Commercial and Recreational and many will be used by Whistler residents, not just employees of businesses. The zone was intended for and is for 'back of house' community and transportation infrastructure serving business and residents alike.

It is also interesting to note that the original applicant made it clear the CTI1 Zone would not see a subsequent rezoning application to permit Heavy Industrial use. Further, the Nicklaus North owners were granted a registered covenant prohibiting any future rezoning application for Heavy Industrial use. The 2008/2009 staff reports and presentations noted the agreements with Nicklaus North and specifically the prohibition of any Heavy Industrial uses. Simply put the CTI1 Zone was not proposed, intended for or approved as a Heavy Industrial zone.

2. The request to amend the CTI1 Zone's "messenger or courier service use" by adding shipping agent and freight forwarders is supported as it is consistent with the CTI1 Zone's purpose of supporting transportation infrastructure type uses.

On one hand, the Staff Report rationalizes the addition of "shipping agent and freight forwarders" as consistent with "**transportation** and infrastructure type uses" while, on the other hand, additional proposed uses supporting **community** infrastructure are rejected.

3. In addition, the introduction landscape nursery and supply, and indoor storage for residential users would attract customers and begin to alter the character of the area as a customer destination as opposed to the area for supporting activities of businesses.

The notion that the introduction of landscape nursery and supply, and indoor storage for residential users "would attract customers and begin to alter the character of the area as a customer destination as opposed to the area for supporting activities of businesses" ignores the fact that the CTI1 Zone was neither intended for nor is it a Heavy Industrial Zone and many of the permitted uses already attract the public as customers.

4. Staff advised the applicant that until a coordinated and comprehensive overall growth and capacity review of Whistler's light industrial and service commercial sub areas and the development of the sub-area plans for Function Junction and Mons are completed, consideration of other requested changes to permitted uses in the CTI1 Zone are premature.

The "coordinated and comprehensive overall growth and capacity review..." that is repeatedly referenced in the staff report, was suggested in 2008 by then Councillor Wilhelm-Morden, as a requirement before proceeding with any advancement of the CTI1 Zoning. During Ms. Wilhelm Morden's seven-year tenure as Mayor, there hasn't been any start on such a study. Yet, in this time,

many zoning decisions and amendments for community infrastructure have been made in the Nesters area without the requirement for such a review. These include the relocation of significant municipal infrastructure, such as the Whistler Transit Facility, enhanced Community Recycling, relocation of the Re-Use-It Centre and a new Community Services Centre.

5. The proposal includes a request to increase the maximum number of auxiliary residential dwelling units per parcel from 1 to 4 and to expand occupancy of these units from being limited to a caretaker or watchman, to permitting occupancy by anyone employed on the premises. Staff recognizes that increasing the supply of housing for employees is a community priority and that the proposal represents a limited increase. However, the incremental changes proposed to the Bylaw introduce additional people living in this area designated for industrial uses. With the extensive overhead power transmission lines and the nature of uses for this area, staff recommends that this is not a good location for employee housing.

The Staff Report makes an anecdotal reference to hazard from "extensive overhead power transmission lines" without any evidence-based reference. We understand the Riverside Campground, with a three storey employee housing apartment building adjacent to a 530 KVA transmission line was studied for health risk prior to approval by the RMOW. The lines over Nesters Crossing are the lower voltage 230 KVA and these lines also run past the rear of businesses on Alpha Lake Road in Function Junction. The 530 KVA lines continue south from the Campground, near the Whistler Transit Facility, adjacent the lower fields at Myrtle Philip School and eventually cross the Lower Cheakamus lands. Municipal reports and decisions should be based on evidence rather than on anecdotal comments.

6. The proposal includes a request to remove the 10 per cent minimum parcel area requirement for landscaping. Staff completed a review of the issued development permits at Nesters Crossing and note that to date all have met or exceeded the 10 per cent minimum requirement. Staff does not recommend a reduction in this requirement, to maintain consistent requirements with existing approved landscaped areas, and to ensure these areas continue to be retained, as these visual buffers are important to minimizing the visual impact of this industrial area.

Regarding the landscape requirements for ten percent of a parcel to have new additional landscaping, we note that the Bylaw does not recognize all the buffer lands we have dedicated especially the 10m railway buffer on our lands as area meeting the ten percent landscape requirement but includes the area of the landscape buffer in the calculation of area generating new additional landscaping. New additional landscaping is being required based on the area of the already landscaped buffer, which was not the intention. The result of the combined areas yields landscaping which is 10% of the parcel area plus the area already improved with the tree buffer, or, a net effective area of 17% to 25% of the parcel area for the lots on the north side of Nesters Road. This is not supported by current best practices and water consumption policies.

7. The request for a greater number of auxiliary residential dwelling units, and to broaden occupancy from caretaker to anyone employed within the industrial area, could introduce a significant number of residents to this area which is not consistent with the industrial zoning.

This statement undermines the objective of having businesses stepping up to house their own employees within their own premises. The CTI1 Zoning is not exclusively Heavy Industrial. Most Heavy Industrial uses, such as concrete batching, manufacturing, steel fabrication and welding, are

not allowed. This Zone is for Community and Transportation Infrastructure and includes such things as Light Industrial, Service Commercial, and Indoor Recreation uses. There is a lit Valley Trail immediately adjacent to every parcel.

8. Staff reference the applicant's letter, supporting documents and rationale yet provided Council only the letter in the Staff Report without the Applicant's supporting documents or rationale. The Staff position and the Staff rationale were included while the Applicant's rationale was excluded.

Staff Presentation to Council

7:25:28. Planner R. Brennan opening remarks:

"The purpose of my presentation this evening is for an application we've received for amendments to the CTI1 zone which is the industrial zoning for the Nesters Crossing industrial subdivision."

"The CTI1 zone has an extensive history with how it was reviewed with the community, with the council. It was about a 5 year review period and it was to create a very specific zone for large need community transportation infrastructural users seeking large parcels, you know, for outdoor storage for heavy equipment and so there was a great deal of discussion about trying to create that zone and so in October, 2012 the CTI1 zone was adopted, was created for those specific uses. There has only been one amendment in March, 2015. At that time they were amendments they were outlined in the report and highlighted on this slide as to mainly dealing with things that were clarity issues providing some flexibility with how a valley trail connection for amenity was connected. The original just allowed an overpass, this was to allow an underpass but there was no real significant change to the industrial purpose of that zone in that amendment. "

Once again – the Nester's Crossing Community and Transportation Infrastructure (CTI1 Zone) is incorrectly referred to as a *"very specific zone for large need community transportation infrastructural users seeking large parcels*". In fact the intention could not have been for large parcels exclusively as the CTI1 minimum parcel size is one half acre. It was the developer's decision, not a requirement, to subdivide into larger parcels.

The CTI1 Zone's permitted uses proposed and approved in 2008/09 have seen little change. The CTI1 rezoning was not "*a 5 year review period and it was to create a very specific zone for...."*

The permitted uses have seen little change since the initial staff reports in 2008/2009.

7:29 "The proposed amendments by the owners, their letter, has outlined their rationale as to there have been changes to Whistler since 2015, since 2012, and so they wanted to make some suggestions as to additional changes to permitted uses be now considered. "

We stated that since the original 2008 Third Reading Approval (10 years ago, not since 2012 when the Bylaw was finally adopted or 2015 when it was amended to allow the underpass), many conditions in Whistler have changed and this is especially so when it comes to traffic and congestion on Hwy 99 south of the village.

7:32 "Some of the uses are starting to move away, in staff's opinion, from the purpose of the CTI1 zone for industrial and transportation type uses that were expected and the concern would be that they

may be incrementally introducing customers and changing character to an area that was really conceived as being more for supporting businesses and you know they the industrial operations. Similarly staff are concerned with if additional residential uses proposed in the area you know is it going to create more of a conflict between the livability and the expectations of people who might live there and the incompatibility with you know heavy equipment transportation uses and some of the other industrial uses that we hope will locate there."

Clearly the Planner's perspective differs from the reality and the purpose of the CTI1 Zoning and history as it is actually written. The legitimate Nester's Crossing businesses simply wish to house some of their workforce within their premises. They are not trying to create a new residential neighbourhood.

Council Questions

7:36:01 Councillor Maxwell

"The indoor storage for business is something that originally was thought about carefully as part of the CTI1 zone, as to creating a zone that made sure it was going to allow indoor storage for those businesses in that type of zoning who would need some indoor storage ability but did not want to create a whole lot of other customers coming to that site so the idea at this point is that to just open it up to allow anybody being able to store there you could start again changing the character of what is supposed to be in that subdivision."

Councillor Maxwell's view has clearly been informed by Staff's characterization of the original zoning which was developed long before her tenure on Council. It was never intended that this would be an area that would not attract a range of users. In fact, the more central location of Nester's Crossing was seen to be preferred for any users from a perspective of the cost of travel (deadhead times), associated emissions (not just transit vehicles) and convenience.

Councillor Anderson – "I was also questioning, you know we have this big debate going on right now with businesses. We have a priority right now for businesses to build accommodations for their staff and we all know what the fear that's going on in Nordic right now and here I see businesses that want to build some accommodation for their staff and you know the one in Nordic is in a tighter space this is on acreage, it seems really large and I just don't see why we wouldn't want to embrace that."

Planner R. Brennan – "The resident issue is high on everyone's mind but again, given the industrial nature of what this is supposed to be this may not be the place to be...we would recommend not be the place to widen and increase the number of residential uses on the site.

Again, the Staff's characterization of the zoning differs from the actual zoning as approved, and Councillor Anderson makes a good point.

7:44:34 Councillor Jewett -

"I agree with my fellow Councillors that I think that we should..considering that we are just about to look at the infill housing proposals that we should consider the additional residential on there when we are reviewing this. I'd also like to ask about the landscaping because I see that they are asking about it. 10% shall be landscaped and 20 meter set backs. Compared to other projects how does this compare to the transit facility and the screening and the landscaping there."

Planner R. Brennan -

"The transit facility was provincial they are not subject to our bylaws. The nature of our many of our industrial areas is quite evident that landscaping is quite thin. Again, a lot of the discussion with the community and Councils in that 5 year period was again looking at this is one of those rare opportunities for a brand new industrial subdivision and improving that overall plan by requiring a little more of it because it's also very visible. What was great with the original subdivision was the original owners did do a dedication of a parcel to the Municipality which sits now between the developable lots and the highway and it will be extensively landscaped so that's what but we want to always keep that 20m to be landscaped so that's why we just want to leave the wording as it is and then the additional landscaping, that 10% is trying to provide a visual appeal within the development."

In fact, the RMOW chose to follow BC Transit's lead with the Transit Facility on the BC Hydro Lands. The RMOW could and should have pushed harder in their negotiations to achieve a better landscaping outcome. It is also noteworthy that Nesters Crossing owners also dedicated a significant tree buffer to visually screen the Whistler Transit Facility which was cleared to the property line. In 2012, the RMOW rezoned the transit facility CTI2 without demand for much in the way of landscape upgrades despite the transit facility being in a DP area.

7:46:47 Councillor Jewett -

"Just because we are trying not to have people go in there the rudbeckia's are lovely in there but not many people get to see them so it's a big investment for people to put in for a site that nobody is suppose to see."

Planner R. Brennan – "Well, I wouldn't say nobody's going to see it. Hopefully there will be people working there and they're going to see it, they're going to see it every day so I think that was part of the thought was you know like many industrial parks and business parks that are developed is you, you know you're trying to make it appealing for the people who are working there and you know, that was the thought so that's why it was in the zone, that's why it is currently in the zone so staff are recommending that it be kept but we're just recommending that."

Councillor Jewett makes a very good point.

any other questions

7:42:47 Councillor Ford – asks if there are there any reports on the impact or dangers of powerlines in this area? Does staff have reports or evidence?

Planner R. Brennan – "No, I mean, we don't have any reports at this point and although they are one consideration, being close to the hydro transmissions, there are obviously many things that are close to hydro transmissions. The bigger point in the report was trying to talk about what is going to be this impact of the expectations of additional residential opened up to other than caretakers in what is supposed to be a primarily industrial zone and so it's the other industrial users that we want to see there that are we you know staff is concerned that it's going to be introducing a conflict for the basic way that that zone runs."

See our comments on Item #5 above regarding dangers from transmission lines.

7:49:44 Councillor Grills -

"In the conversation berm vs fence along the railway I recall from design panel there was a lot of conversation with the community Cypress Place across the way. It was an approved approach to screen that area. At this point has there been conversation with Cypress Place, have they approved the berm in place or is that to come?"

7:50:06 Planner R. Brennan – "Uh, I mean, ya, it may come. What was important to just note, it's like the text of the CTI1 zone just when it was written only allowed them to use a fence but when they actually got in to the work and heard that input the developer came up with the berming and the only way they could put the berming in was when they brought the original Development Permit forward was to ask for a variance from the fence so all we're saying now is it would make sense to give it the flexibility that it could be either. It's not saying that the berm is going to go away, the berm is there it's just allowing that the either option will be permittable in the future."

In fact, the CTI1 Zoning specified a wall, not a fence. Instead we came up with a landscape berm which was protected by a chain link fence on top of concrete highway no-posts. The idea was that the concrete no-posts were robust enough to prevent damage or encroachment into the 10 M landscape buffer on our property paralleling the railway lands. This buffer provides both visual and sound attenuation for the golf course and Cypress Place. Hydraulic flood modeling of the proposed berm required some sections to be left at grade and fenced with highway sound attenuation panels that would allow floodwaters to break through and in the furthest western portion a section of livestock fencing was incorporated into the design.

The landscape berm and associated fencing were approved in place of the wall specified in the Zoning by Development Permit No. 1365. The design and specifications were appended to an easement and development covenant between Green Lakes Golf Course and the Nesters Owners. Since the floodways are critical, there cannot be flexibility to choose either the berm as designed and built or a wall as specified in the zoning.

7:51 Councillor Grills – " In order to create additional housing some of the Councillors have voiced approval for that type adding more units would that have to come from square footage currently zoned as mezzanine or office space? I'm just wondering where that square footage would come from?"

7:52 Planner R. Brennan -

"So, I mean, that would all have to be part of the discussion as to you know where does that come from? And again, if it's, right now there's a maximum in the covenant for gross floor area on the site so anything that isn't being developed for one of the CTI1 zones uh it will just take down from that from an industrial square footage to become residential."

The CTI1 Zone has a maximum allowable FSR, so all development including any additional employee accommodation must be within the Zone's existing allowable FSR.

7:52:33 CAO Furey interrupted Council discussion – "Mayor, if I could just add a comment that it's interesting discussion that thinking about our visioning session last night where Drew Meredith spoke of the careful planning of Whistler and that's been the key to our success and noting in the report there is a 5 year rezoning process to get to this is an industrial area." ...

Drew Meredith and I go back a long way. We are both keenly interested in and discuss community issues on a regular basis. Drew was directly involved with the preparation of our Nesters Crossing Rezoning Package, which he fully supported. The idea that Drew would think that our Nesters Crossing Rezoning Package is bad planning is way off base.

Once again, the notion that the CTI1 permitted uses came from a protracted, heavily scrutinized fiveyear planning process that concluded the zone should be limited to only Heavy Industrial is simply not correct. From its inception in 2008/2009, the CTI1 Zone included Light Industrial, Service Commercial and Recreational uses which would attract customers.

.... "Simply turning it over to a residential area, you know staff are not recommending that. I think it's a totally different change of use. "...

Adding three additional employee units to the one currently allowed on each parcel does **not** change the use from Industrial to Residential, it simply allows some businesses the option to house some of their workforce within their premises.

..."We have in our budget that you're going to hear later that we have a \$280,000 allocation to put sidewalks in Function which I don't think was ever anticipated and so we see this as an industrial use, there are other areas under community again, carefully planned, that are residential uses and you don't see us putting trucks over in Alpine or in Rainbow and vice versa. This area is set up for and the five years of rezoning I would have thought would have identified what are the best uses for it."

As noted in our comments above on the Staff Report Item 1, the permitted uses were set out and approved in 2008/09, **not** after an "extensive five-year process". The range of permitted uses from the outset in 2008/09, has been wide, and while it allows the maintenance and storage of heavy equipment and buses, the CTI1 Zoning is otherwise not limited to Heavy Industrial.

Regarding sidewalks in Function Junction, see our thoughts on Mayor Wilhelm-Morden's comments which follow in the next section. The developers of Nesters Crossing built a paved and lit Valley Trail which runs on, or immediately adjacent to, every parcel.

7:53:46 Mayor Wilhelm-Morden – "I'm just going to make a couple of comments because I think this is a pretty important decision. And I have been around a million years and I have seen the evolution of Function Junction for example and it was our industrial zone. It was created for that purpose, it was supposed to be heavy industrial, no residential, no service, no retail, no residential at all and then gradually over the years there was this slippage, first a little coffee shop, then a little studio, then a this and a that, a retail store and so on and Function Junction today is a great place but it was never planned to be a place for people living or people driving around."...

I bought a parcel at 1055 Millar Creek Road in 1992. The site was a logging camp. At that time the IS1 Zone permitted auxiliary residential suites, artists' studio under craft workshop, coffee shop under restaurant and the retail sales of hardware, building supplies and household goods. The Hard Hat Café operated in the premises currently housing Olive's Organic Grocery. The Junction Café at 1085 Millar Creek Road opened in 1993. There were numerous residential suites scattered throughout Function Junction.

The diversification of Function Junction is predictable and positive as Whistler matures from building a resort community to maintaining and sustaining a resort community.

Function Junction was conceived with two zones being the lighter Service Commercial IS Zones near the entrance and the more industrial IL zone further along Alta Lake Road. The IL2 Zone permits typical heavy industrial uses including:

(g) manufacturing, processing, assembling, repairing and servicing of the following products:

- (i) concrete and cement products;
- (ii) chemical or chemical products;
- (vi) gravel and aggregate;
- (ix) machinery or equipment;
- (h) machinery, industrial equipment and tool sales, repairs and rental;
- (i) motor vehicle servicing, including mechanical and body repairs;
- (q) welding

Other noisy and odour producing heavy industrial uses such as gravel extraction, asphalt batching as well as sewage treatment, solid waste storage, transfer and industrial composting are permitted in specific Heavy Industrial zones elsewhere in Whistler.

Most Heavy Industrial uses such as the manufacturing of aggregate, concrete and asphalt are *not* permitted in the IS or CTI1 Zone. For Nesters Crossing, a Development Covenant with the neighbouring Green Lakes Golf Course specifically prohibits any zoning for these uses.

... "We hear about traffic issues down there, as the CAO pointed out the sidewalks were never installed and we are spending money now to do that. We had to alter our transit line quite significantly to provide buses down to the end of the subdivision."... Dave Williamson, Brent Harley and I put together a Pedestrian Strategy for Function Junction in 2013. Our post-Olympic concerns with pedestrian and cyclist safety came from:

- The completion of Cheakamus Crossing Neighbourhood
- The completion of the Valley Trail from Spring Creek and Cheakamus to the intersection of Hwy 99 across from Function Junction.
- The rezoning permitting a grocery store in Function Junction
- The rezoning permitting reasonably priced indoor recreation in Function Junction
- Regular Transit Service to Cheakamus and Function Junction
- The promotion of transit and cycling by the RMOW.

In 2013 we were told that the RMOW was too busy to deal with the Function Junction pedestrian safety issues, but would address them 2014. Five years have now elapsed with little progress.

..."And I remember when the developers came in for this project and they assured us that this was back of house only full stop. And one of the developers who owns a heavy equipment place down in Function Junction said that he wanted to continue on with his family business but he was getting forced out of Function because it wasn't appropriate for heavy industry any longer and that's why they needed to rezone this property at Mons for these industrial uses to carry on with his family businesses."...

From our 2008 rezoning application: "Coastal Mountain Excavations Ltd. (CME) is a 35-year-old Whistler Company. CME employs a staff of 45 and maintains and operates 25 pieces of snow clearing equipment. CME currently operates out of an inadequate 4000 square foot maintenance facility. It outgrew this facility over 10 years ago and is very much in need of a new home"

CME's need for a new site was driven by their business growth. CME was not being forced out because Function Junction wasn't appropriate, they had simply outgrown their 1992 premise due the success of their business.

... "This was a highly contentious rezoning application but it finally made its way through."...

In fact, the CTI1 rezoning was supported by Whistler's Advisory Planning Commission and was well received and supported at both open houses and the initial June 16, 2008 Public Hearing. Milo Rusimovic was very aggressive in his opposition but was the only speaker at the Public Hearing opposed. Then Mayor Melamed and then Councillor Wilhelm-Morden were likewise opposed. Third Reading approval was granted July 7, 2008 in a vote of 5 to 2 with Councillors Forsyth, Lorriman, McKeever, Wake and Zeidler in favour.

The 2008 Approval gave the RMOW the option to purchase a serviced 4.5 acre site for a transit facility at a cost of \$1,925,000. BC Transit and the RMOW decided instead to lease and build a new Whistler Transit Facility on the adjacent BC Hydro Lands.

In 2009, the RMOW asked us to drop their option for a site for transit in favour of the RMOW instead receiving one acre free of charge for a Municipal Impound Yard. They agreed everything else would stay the same, but the First and Second Readings, Public Hearing, and Third Reading approval would have to be redone. At the October 8, 2009 Public Hearing, twenty community members spoke in favour of the rezoning and only former Councillor Wilhelm-Morden spoke against. The Third Reading Approval was granted with all six Councillors in favour (Forsyth, Lamont, Milner, Quinlan, Thompson and Zeidler). Mayor Melamed cast the lone dissenting vote. Opposition continued. This defied the accepted principle that once a Council has voted and made a clear decision, all of Council accept and support that decision.

..."But I think it's important to recognize as well the comment in the report that "Whistler has a limited amount of industrial land and adding additional uses in this location needs to be carefully considered to ensure that they do not negatively impact the industrial development potential of this area." This property, this development was meant to be heavy industrial back of house full stop."...

Once again, we are being told that the CTI1 Zoning was conceived and approved for Heavy Industrial use only. This is simply not correct.

..."You could have a watchman there but to add, as soon as you add a coffee shop you're on the slippery slope and I don't agree with staff's recommendation about that. But as soon as you start having people there, either customers or residents, and there's no sidewalks and there's no streetlights and there's no transit and we make all the same mistakes that we made in Function Junction."...

In truth, every parcel in Nesters Crossing is serviced with a lit Valley Trail. Transit, shopping and Meadow Park are all a short flat walk away along this lit Valley Trail.

The notion that adding a few employee housing units should trigger additional pedestrian upgrades at Nesters Crossing seems odd when large residential neighbourhoods like Nordic and Alpine Meadows don't have sidewalks.

It seems contradictory that additional sidewalks are such a concern for a few units at Nesters Crossing when the opportunity to install a sidewalk with the recent water main upgrades along Valley Drive in Alpine Meadows (a much busier area with pedestrian/traffic conflicts) was ignored.

..."This is a slippery slope and what I would suggest we do is authorize staff to go ahead with reviewing and processing the rezoning application with the significant exception of deleting the coffee shop or restaurant. If the workers on site need a coffee they can go across the street to Riverside, they can walk down the street to Nesters or they can walk up the street to Alpine Way because this again will be the crack in the door to bringing in all the rest of the uses. Maybe not today, maybe not tomorrow, but certainly within a year, within a couple years, within three years and then we no longer have a heavy industrial park any longer we have something else."

The rationale for not including a coffee shop in Nesters Crossing contradicts her pedestrian safety concerns. Once again, we are being told that the CTI1 Zone was conceived and approved for Heavy Industrial use only and this is simply not correct. The fact is, a lot has changed in Whistler since 2008.

7:57:36 Councillor Jewett

"One of the major things that changed the character of Function Junction was putting all the accommodation for residents across the highway with no services in that neighbourhood in Cheakamus Crossing so we are forcing...Function is becoming that service area and that's why we need sidewalks. Because we have 1500 people living over there that need to get across the highway."

Councillor Jewett is correct. The critical need for a pedestrian strategy for Function Junction came post-Olympics as a result of:

- The completion of Cheakamus Crossing Neighbourhood
- The completion of the Valley Trail from Spring Creek and Cheakamus to the intersection of Hwy 99 across from Function Junction.
- The rezoning permitting a grocery store in Function Junction
- The rezoning permitting reasonably priced indoor recreation in Function Junction
- Regular Transit Service to Cheakamus and Function Junction
- The promotion of transit and cycling by the RMOW.

7:58:10 CAO Mike Furey interrupted Council discussion -

"Just for clarity the sidewalks are towards the end of Function where the residential buildings are it's not about the people coming from across the highway that's a separate sidewalk investment."

Dave Williamson, Brent Harley and I put together a Pedestrian Strategy for Function Junction in 2013. This strategy was comprehensive and not focused on one specific section. At the time we were told that the RMOW was too busy to deal with the FJ pedestrian safety issues but would address them in 2014. Five years have now elapsed with little progress.

7:58:27 Councillor Anderson -

"Ya, I agree with everything you said we want to keep this industrial but I don't see how this deviates from that industrial use to add these businesses being allowed to house their staff on site. And I also think it's right on the valley trail, we built a tunnel, the valley trail is right beside this development and it's close proximity to transit, the transit yard and bus stop is right next to it as is Nesters. I don't see it going on beyond a heavy industrial use with these businesses being able to house their staff on site probably not all their staff but just a portion of them I see that as I think that's a win."

Councillor Anderson makes a good point. The sites are serviced with a lit Valley Trail. Transit and amenities are a short flat walk away. The addition of a modest number of employee units will not compromise the Industrial, Service Commercial and Recreational intent of this area.

8:06:20 CAO Mike Furey interrupted Council discussion – "Mayor, if I could just add one other comment. There is a bit of a procedural fairness issue that we do have a whole initiative under way for private developments where we have guidelines set out that allow, are looking at potential housing opportunities and I do agree that if we do move down this road, there was 5 years or so spent on determining what the appropriate zoning was there. I wasn't around for that, but I think it would be perhaps inappropriate to turn that around in the brief discussion that was had tonight. And if we did move to housing and go down that road I was actually thinking we would need playgrounds in other areas popping into my mind which may not be appropriate."

Once again, we are told the permitted uses in the CTI1 Zone took five years of process and discussion to develop. In truth, a simple review of the actual Rezoning documents shows the permitted uses in the CTI1 Zone were conceived and approved in 2008/09 and include Light Industrial, Service Commercial and Recreational uses in addition to the very limited heavier industrial uses.

In fact, the CTI1 Zoning list of Permitted Uses includes:

I) parks and playgrounds

Regarding procedural fairness, on the one hand the CAO sees fit and is allowed to add his input when not asked and does so three times.

But on the other hand:

- 1. The Nesters Crossing Owners submit a Rezoning Application March 3, 2017. Then the Owners receive a letter from Staff (April 25, 2017) which supports some of the requested amendments and then receive a second letter (May 29, 2017) which now rescinds their position based on direction from "higher up".
- After pushback from Mayor and Staff, the Nesters Crossing Owners amended their Rezoning Request and gave written notice of their position (July 17, 2017) yet it took 7 ½ months until March 6th, 2018 to get in front of Council.
- 3. The Staff Report for the March 6th Meeting was released to the Owners on March 2nd, 2018. The process does not provide the opportunity for response and input from the Owners.
- 4. The Staff Report included the Staff rationale but did not include the comprehensive Owner's rationale. The Owners must pay for the Staff time for the Staff Report and Presentation regardless of their accuracy and appropriateness.
- 5. The Nesters Crossing Developers satisfied the last condition precedent for the Adoption of the CTI1 Zoning in June 2012, yet did not receive Adoption until October 2012. In the same time frame, the RMOW fast-tracked a CTI2 Zoning for the adjacent Whistler Transit Facility to allow the storage and maintenance of private buses. In our view the RMOW was in conflict in their duty to procedural fairness being the Approving Authority at the same time as they were a direct financial beneficiary from the delay which enabled them to secure Pacific Coach Lines as a tenant.

Mayor Wilhelm-Morden – "We wouldn't be able to force the developer at this point to put in sidewalks. It is what you see is what you get. And we're not going to ban babies and having small

children in a heavy industrial zone just doesn't make sense to me. And plus raising the bed count. And housing is a critical issue in this town, we all know that. We've had the Mayor's (Taskforce) recommend...we've spent how many hours tonight listening to ... more information about provision of housing but we can't let the critical nature of housing make us make poor decisions on housing. We have to be smart about it. And I just can't support residential housing in a heavy industrial zone."

Once again, the fact that every last one of the Nesters Crossing sites is serviced with a paved and lit Valley Trail does not seem to matter. Once again, we are told the CTI1 Zone is a Heavy Industrial Zone when in fact Nesters Crossing was conceived and approved with a wide range of permitted Industrial, Service Commercial and Recreational uses.

Staff Presentation to Council (1st and 2nd reading April 24, 2018)

7:22:52 Councillor Anderson-

"I am a bit puzzled by the site coverage of the landscaping that's required. I know when I did a site inspection there is a chain link fence along the back of the properties adjacent to the CP Rail line. And there is quite a setback area in there that I was curious, is that part of the landscaping requirement for the proponents here, the landowners. Is that included in the, is it 10%?"

Planner R. Brennan -

"The bylaw as it's been presented hasn't made any changes to those requirements. So there is a requirement of 10% of a parcel be for landscaping. So a covenant that is those areas adjacent to the rail RoW remain as a treed, naturalistic berm area."

Councillor Anderson – "Ok, so beyond that chain link fence is natural, nothing, the onus isn't on the landowners to do anything there."

Planner R. Brennan – "So beyond the chain link fence, if I understand your question correctly, would be into the rail RoW so they wouldn't be responsible for the rail RoW."

Councillor Anderson – "Ok so it's 10% of their coverage area?"

Planner R. Brennan – "Yes"

In fact, there is no fence on the property line with the railway. The chain link fence is 10m into our properties and separates the developable area from the landscape berm. We are obliged to both maintain the landscape berm as designed and to pay taxes on this extra area, yet it is no credit to us for this as part of our landscaping. As well, there doesn't seem to be any consideration for the other deeded and dedicated areas which totally surround Nesters Crossing. A plan showing these buffer areas is attached as Exhibit 2.

Councillor Ford – "Can you further describe the requirement for that landscaping to be so much of this type of property."

Planner R. Brennan – "That was outlined in the report on March 6th. So as outlined at that time the initial zoning made a requirement for the parcels to provide a landscaping area that is kind of adding

to the beautification of an industrial subdivision so this is kind of upping the game of how we would develop our industrial subdivisions so as the report laid out was that requirement was questioned by the applicants with this application but staff was recommending that it remain as currently written."

We do not believe the landscape requirement wording (wording from 2008) in the bylaw reflected the original intention. If it had, the usable area of the Transit facility site the RMOW originally had an option on would have been seriously compromised.

The landscape requirements at Nesters Crossing are excessive when compared with all other industrial zones, and especially when compared with the adjacent Whistler Transit Facility, the RMOW's own Works Yard, and the new Recycling and Community Services facilities.

Summary

Mayor Wilhelm-Morden has been steadfast in her opposition to the development of Nesters Crossing since its inception. The 2008 Third Reading Approval came with a vote of 5 in favour and 2 opposed. The 2009 re-do (the RMOW's request for a free impound yard in lieu of an option to purchase acreage for a Transit Facility) was passed with all six Councillors in favour and with Mayor Melamed opposed.

Despite Ms. Wilhem-Morden's arguments, the clear majority of two different Councils disagreed with her position and voted otherwise.

Much more concerning is the collaboration of the CAO and Planner with the personal perspective of their Mayor. I believe Staff have a duty, not just to their Mayor, but a larger duty to the full Council and the Whistler Community. Staff reports, presentations and statements should be truthful, balanced and without bias.

Moving forward, as a first step, we ask Council to give Third Reading and Adoption to the bylaws as presented. As a second step, we ask Council to resolve that Staff bring forward Bylaws for First and Second Reading (as quickly as possible and this time at the RMOW's cost for staff time) to further amend the CTI1 Zoning to increase auxiliary residential units for employees of the businesses on site from one to four units. As well, we ask these new Bylaws amend the landscape requirement from 10% to 5% in section 21.

Respectfully submitted,

Steve Bayly

Exhibit 1

Current CTI1 zoning bylaw Original (2008) Bylaw 2009 Bylaw

The Staff Report, the Staff, the Administrator and the Mayor all state that an extensive 5 year rezoning process resulted in the Nesters Crossing Lands being zoned for Heavy Industrial purposes only. A review of these bylaws shows this statement is untrue.

The permitted uses in the CTI1 zone have seen little change since 2008/2009 despite several amendments and include many light industrial, service commercial, and recreational uses.

16. CTI1 (Community and Transportation Infrastructure One) (Bylaw No. 1860)

Intent

(1) The intent of this zone is to provide industrial type uses supporting community and transportation infrastructure, and civic uses.

Permitted Uses

- (2) The following uses are permitted and all other uses are prohibited:
 - (a) auxiliary buildings and auxiliary uses
 - (b) auxiliary residential dwelling unit for a caretaker or watchman or other persons similarly employed on the premises
 - (c) fuel service station / fuel card lock
 - (d) indoor recreation (Bylaw No. 2076)
 - (e) indoor storage for businesses
 - (f) indoor and outdoor storage and maintenance of construction equipment
 - (g) landscaping services
 - (h) messenger or courier service
 - (i) motor vehicle maintenance and storage facility
 - (j) nature conservation parks and buffers
 - (k) non-motorized outdoor recreation, excluding rifle range and paintball facility, and excluding any other non-motorized outdoor recreation use that is likely, because of noise or dust it generates, to cause a nuisance to the owners, occupiers or users of adjacent lands or to the public (Bylaw No. 2076)
 - (I) parks and playgrounds
 - (m) storage and works yard including storage of construction equipment
 - (n) recycling depot for household goods
 - (o) taxi dispatch and storage yard
 - (p) vehicle impound yard

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Density

- (3) The maximum permitted floor area of buildings and structures in the CTI1Zone is 500 square meters and the land in the CTI1 zone shall not be subdivided.
- (4) Despite subsection (3), the maximum permitted gross floor area of all buildings and structures on all parcels in the CTI1 Zone is increased to 18,581 square metres, and land in the CTI1 zone may be subdivided, if the owner has provided the following amenities to the Municipality at the time of issuance of a building permit authorizing construction of buildings or structures that would increase the density of development in the zone above 500 square meters or at the time of deposit of the subdivision plan, as the case may be; (Bylaw No. 2076)
 - (a) transfer to the Municipality for public purposes of a portion of the land in the CTI1 zone comprising, more or less, the area shown hatched on the Key Plan forming part of these CTI1 Zone regulations, without compensation and free and clear of all encumbrances of a financial nature;
 - (b) provision of a statutory right of way for public trails passing through the CTI1 Zone, at locations to be confirmed by the Municipality, generally parallel to the southern boundary of the CTI1 Zone between the southwesterly corner of the land described in paragraph (a) and the southwesterly corner of the CTI1 Zone, as shown conceptually on the Key Plan;
 - (c) construction of the public trails in the locations shown conceptually on the Key Plan to the valley trail standards indicated on Resort Municipality of Whistler Valley Trail Standard Drawings No. R7 dated July 2003, R8-B dated July 2003 and R9 dated January 2003, each of which is on file at the municipal office of the Municipality, including lighting of a design approved by the Municipality at 30 meter intervals or greater intervals approved by the Municipality, provided that the Municipality may require the owner to construct the trail portion north of the rail bridge or underpass to the extent only that the cost of such construction does not exceed the cost of constructing the trail portion along the southern boundary of the CTI1 zone, such costs to be estimated by the Municipality, and if the Municipality requires the owner to construct the trail portion north of the rail bridge or underpass, the owner need not construct the trail portion along the southern boundary; and (Bylaw No. 2076)
 - (d) provision of either a valley trail pedestrian bridge or underpass of the railway track to the north of the CTI1 Zone constructed to a design approved by the Municipality and connecting the new public trails in the CTI1 Zone with existing or proposed trails to the north of the railway track including such authorization from Canadian National Railways or the railways regulatory authority as are required for the public use of the overpass or underpass in perpetuity; if a bridge is provided it must have a clear inside width of at least 3.7 metres, and if an underpass is provided it must a clear inside width of at least 3.6 meters, and in either case the grades generally must not exceed 5% (Bylaw No. 2076)

- (5) In lieu of providing the amenities described in paragraphs (4) (b), (c) and (d) at the time of issuance of a building permit authorizing floor area in excess of 500 square metres or subdividing the land in the CTI1 Zone, the owner may enter into an agreement with the Municipality by which the owner is obliged to provide the amenities by a date specified in the agreement, and provide security to the Municipality in the amount of the Municipality's estimate of the cost of providing the amenities, but no such agreement shall be permitted in relation to the rail bridge or underpass amenity described in paragraph (4) (d) until the authorizations described in that Section have been issued in writing. (Bylaw No.2076)
- (6) The maximum permitted floor space ratio is 0.5 (Bylaw No. 2076)

<u>Height</u>

(7) The maximum permitted height of a building is 12 meters.

Site Area

- (8) The minimum permitted parcel area is 2000 square meters.
- (9) The minimum parcel frontage is 23 meters.

Site Coverage

(10) The maximum allowable site coverage is 40 percent.

<u>Setbacks</u>

- (11) The minimum permitted front setback is 7.5 meters.
- (12) The minimum permitted side setback is 3.0 meters.
- (13) The minimum permitted rear setback is 3.0 meters.
- (14) Notwithstanding any other regulation in this zone, a minimum 20 meter setback is required from the right of way of Highway 99 and a minimum 10 meter setback is required from the railway right of way.

Off Street Parking and Loading

(15) Off street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw.

Other Regulations

- (16) A maximum of 1 auxiliary residential dwelling unit is permitted per parcel.
- (17) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 75 square meters and no less than 32.5 square meters.

- (18) A maximum of 40 percent of the gross floor area of a principal building is permitted to be used for auxiliary office use.
- (19) Setback areas described in subsection (14) shall be landscaped to visually screen the buildings, structures and storage areas from Highway 99 and the railway tracks.
- (20) All uses on parcels adjacent to the railway shall be screened by a solid wall at least 2.4 metres high constructed and maintained upon such parcels at at a 10 m setback from the southeast property line of the railway right of way.
- (21) In addition to the landscaped area required by subsection (19), a minimum of 10% of a parcel shall be landscaped, such landscaped area to be located to the maximum extent possible in the setback area adjacent to the front parcel line.
- (22) Snow storage shall be predominantly located at the rear of the parcel.
- (23) Storage yards shall be screened from adjacent parcels and highways.
- (24) Auxiliary storage uses must be related to a principal use on the same parcel.
- (25) Fencing shall not be of a barb wire construction below the height of 2.0 meters.
- (26) All roof top apparatus shall be screened from public view at ground level and from Highway 99 and the railway.
- (27) Any storage vessel with a liquid capacity exceeding 7570 liters (2000 gallons) capable of storing liquefied fuels under pressure shall:
 - (a) be sited at least 15 meters from any parcel line; and
 - (b) be sited at least 120.0 meters away from any building that may be used for public assembly such as schools, hospitals, theatres, tourist accommodations, and campgrounds and from any residential buildings.



Schedule 2

CTI1 (Community and Transportation Infrastructure One)

Intent

The intent of this zone is to provide industrial type uses supporting community and transportation infrastructure.

11 In the CTI1Zone:

Permitted Uses

- 11.1 The following uses are permitted and all other uses are prohibited:
 - a) auxiliary buildings and auxiliary uses
 - b) auxiliary residential dwelling unit for a caretaker or watchman or other persons similarly employed on the premises
 - c) fuel service station / fuel card lock
 - d) landscaping services
 - e) messenger or courier service
 - f) motor vehicle maintenance and storage facility
 - g) public storage and works yard
 - h) recycling depot for household goods
 - i) taxi dispatch and storage yard
 - j) vehicle impound yard

Density

11.2.1 The maximum permitted floor area of buildings and structures in the CTI1 Zone is 500 square meters.

11.2.2 Despite subsection 11.2.1, the permitted floor area in the CTI1 Zone is not restricted except by the application of Sections 11.3 through 11.8, if the owner has provided the following amenities to the Municipality at the time of issuance of a building permit authorizing construction of buildings or structures that would increase the density of development in the zone above 500 square meters:

11.2.2.1 provision of public trails passing through the CTI1 Zone, at locations to be confirmed by the Municipality to connect with existing or planned portions of the trail network to the north, south and west of the CTI1 Zone, generally parallel to Highway 99 in the eastern portion of the CTI1 Zone and parallel to the southern boundary of the CTI1 Zone, within statutory rights of way granted to the Municipality in perpetuity on terms acceptable to the Municipality and registered in the Land Title Office;

11.2.2.2 construction of the public trails to the valley trail standards illustrated on Drawing 1 forming part of this CTI1 Zone including lighting of a design approved by the Municipality at 30 meter intervals or as supported by the Parks Department; and

Schedule 2

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 - b) auxiliary residential dwelling unit for a caretaker or watchman or other persons similarly employed on the premises
 - c) fuel service station / fuel card lock
 - d) indoor and outdoor recreation
 - e) indoor storage for businesses
 - f) indoor and outdoor storage and maintenance of construction equipment
 - g) landscaping services
 - h) messenger or courier service
 - i) motor vehicle maintenance and storage facility
 - j) nature conservation parks and buffers
 - k) parks and playgrounds
 - I) storage and works yard including storage of construction equipment
 - m) recycling depot for household goods
 - n) taxi dispatch and storage yard
 - o) vehicle impound yard

Density

11.2.1 The maximum permitted floor area of buildings and structures in the CTI1 Zone is 500 square meters and the land in the CTI1 zone shall not be subdivided.

11.2.2 Despite subsection 11.2.1, the permitted floor area in the CTI1 Zone is not restricted except by the application of Sections 11.3 through 11.8 and the land in the CTI1 zone may be subdivided, if the owner has provided the following amenities to the Municipality at the time of issuance of a building permit authorizing construction of buildings or structures that would increase the density of development in the zone above 500 square meters or at the time of deposit of the subdivision plan, as the case may be:

11.2.2.1 transfer to the Municipality for public purposes of a portion of the land in the CTI1 zone comprising, more or less, the area shown hatched on Drawing 1 forming part of these CTI1 Zone regulations, without compensation and free and clear of all encumbrances of a financial nature;

11.2.2.2 provision of a statutory right of way for public trails passing through the CTI1 Zone, at locations to be confirmed by the Municipality, generally parallel to the southern boundary of the CTI1 Zone between the southwesterly corner of the land described

Exhibit 2

Plan of Nesters Crossing showing landscape buffers



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Steps in calculating Landscaped Area. 1) Multiply the entire lot by 10% including the area of the buffer. 2) Add the area of the buffer (~7.4->15%) to the 10% 3) Total landscaped area = 17.4% -> 25%



Dear Mayor and Councillors,

My name is Tim Coulson, I reside at 1544 Fraser Road, Pemberton, BC, and have worked at Coastal Mountain Excavations Ltd. since 1991 in various capacities. My current role is as an Owner and Chief Operating Officer of CME. I would like to advise of my support for the 3rd reading and adoption of **RZ1135.**

Coastal Mountain Excavations Ltd. is a tenant at 8040 Nesters Road, Whistler, BC, and currently employs 85 people. We would cherish the opportunity to be able to rent 4 units to house both short term and long term employees. In our staff we have 6 employees currently on work visas and all would love the opportunity to immigrate to this corridor. Over the last year we saw two long term highly skilled employees leave the valley due to housing issues.

While I am not a town planner, I see nothing wrong with increasing the already permitted usage from one unit to four. I believe council's comment regarding power lines, sidewalks, etc. is a ridiculous attempt to prevent a project that makes nothing but sense, from moving forward. Seriously, it's okay to have powerlines and a valley trail to service one unit per lot, but not four?

Council also keeps referencing Function Junction as a comparison and the need for a sidewalk. I believe Function Junction is a vibrant and bustling community and I believe that the investment in sidewalks, while not cheap, at the prices I have heard recently, is very minimal compared to other trail projects we have seen around the valley that are more focused to the visiting tourist. We need to invest in back of house to allow local residents and business to operate in a reasonable manner.

It's pretty amazing to have lived and worked here since 1991 and to have participated in building this valley and be involved in so many projects, but from where I sit at present, I really wonder who is going to plow the snow and repair the services in the coming years unless we all do our part in finding a solution and I think the rezoning while is a small step, is part of the bigger solution.

Sincerely,

Tim Coulson Chief Operating Officer Coastal Mountain Excavations

> Coastal Mountain Excavations Ltd. 8040 Nesters Road Whistler, BC V0N 1B8 T: 1-604-932-5469 | F: 1-604-932-5462



May 2nd, 2018

Mayor and Council

Resort Municipality of Whistler 4325 Blackcomb Way Whistler, BC

VON 1B4

RE: RZ1135 Public Hearing

My name is Matt Woods, and I reside at 8488 Bear Paw Trail. I am a born and raised Whistlerite and have been proud to call Whistler my home since the day I was born. I am the President, Director, and owner of Coastal Mountain Excavations Ltd, located at 8040 Nester's Road in the new Nester's Crossing Development. We are a tenant in a new commercial building there.

I am writing to voice my support of granting 3rd reading and the adoption of RZ1135. With that said, this zoning amendment does not go far enough. It is my understanding that this rezoning was cut back and does not include the allowance of additional auxiliary dwelling units per lot from one to four, as well as to reduce the amount of landscaped areas on these sites. I believe this was done purposefully by the Mayor and CAO to frame the staff report with half-truths and falsifying of information to characterize this rezoning to your benefit. In addition, I would like to summarize and clarify a few points to foster your understanding of how our business has grown, the challenges we face, and you as our elected representation can help support a business that has been in this valley for over 41 years.

At the last council meeting on April 24th, I was quite disturbed to hear that the Staff Report, the Staff, the Administrator, and the Mayor all kept referencing the Nester's Crossing development as a purely *Heavy Industrial development*. I find it mind blowing that the very people that created the zoning can't even refer to its true definition accurately and without bias. The name and intent of the zoning has always been, since 2008, for **Community and Transportation Infrastructure** with a multitude of approved uses, none of which refer to *Heavy Industrial* in any manner. In Mr. Brennan's report to council, the constant referencing to Heavy Industrial uses only, and no reference to all the other permitted uses as the legal wording of the existing zoning describes, is never mentioned.

Coastal Mountain Excavations Ltd. 8040 Nesters Road Whistler, BC V0N 1B8 T: 1-604-932-5469 | F: 1-604-932-5462 It should be dually noted that Mayor Wilhelm-Morden has been unsupportive of this development since day one. It's very difficult to come to any other conclusion that her Worship has a personal issue with the developers of Nester's Crossing, Mr. Steve Bayly, and my father, Nigel Woods. There is a decade of history to support my point of view as the Mayor has been the only one against this development, with the exception of former Mayor Melamed, from the start. It appears that people are being treated unfairly in this town and as a business owner here in Whistler it would be nice to know that back door politics don't exist and personal biases can't make their way to council decision making and frame staff reports in such a manner. I would hate to think that I'm being unfairly treated just because my last name is Woods.

I would first like to address the landscaping requirements of the parcels at Nester's Crossing. There is currently a 10 meter landscape buffer on the north side of the development with a berm and series of chain-link and concrete fencing, as well as the 20 meter buffer along Highway 99. The combination of the berm and the additional 10% requirement for the remaining usable land brings the total net amount of landscaped area to more than 20% of the land CME occupies, not 10%. Mr. Brennan's comments to Councilor's Anderson and Ford 's questions last week on the accuracy of the 10% coverage of the total area are completely false. We are forced to pay property tax on the total land area and are not offered tax credits for land we can't use for business purposes. What makes me most upset is that we are forced to construct these landscaped areas, install irrigation, pay to have them maintained, and then we're not allowed to water them in summer months. I only see the water use problem as increasing year over year, so paying to construct and maintain something that will die and look horrible every year makes no amount of sense to me. The fact that we then have to load and haul dead landscaping to the Transfer Station in the Callaghan does not seem like a green initiative to me. These measures are also punitive when measured against other commercial or industrial properties in close proximity to Nester's Crossing such as the BC Transit Center, RMOW Utilities Yard, Recycling Depot and new Community Services Building.

Our company has grown to employ 85 people today. That is a lot of vehicle traffic in and out of our facility every day and the requirement for additional parking is real. If we were allowed to decrease the landscaping to 5%, we could sure use a few more parking spots for all of our staff to park for the work day. It should also be noted that the majority of our staff are commuting from Squamish and Pemberton daily and do not reside in Whistler any longer, which leads to my next point.

In days gone by, the majority of our staff, approximately 80%, resided in Whistler. Today, we have 35% that live in Squamish, and 45% that live in Pemberton. Only 20% of our work force of 85 people actually live here! We live and breathe the housing crisis here at CME every single day. I currently employ 8 people that I am at serious risk of losing because they can't find housing here. I lost two last year that were very skilled, very well paid, and had to leave because of a lack of housing. Our business is one of a small group that actually pays living wages in Whistler and people can and do earn a good living working for us. The fact that they can't find housing when they have financially rewarding and consistent employment is incredibly frustrating and does have an impact on my bottom line. If we were allowed to have the auxiliary housing units increased from one unit to four, which by the way your counterparts in The Village of Pemberton have approved in similar developments, it would have an incredibly beneficial impact on our business. We could house 8 staff today. People want to live here, so why won't you help them? Let me be perfectly clear that having three additional housing units at our facility would not be a direct financial benefit in terms of rental revenue for CME. It would simply allow us to help people live here that need to and I wouldn't have to lose employees to other regions of BC and Alberta.

After last week's council meeting I brought this issue up at a company wide staff meeting and BBQ and my employees cannot for the life of them understand why the RMOW is against trying to help businesses house their employees, especially when you are publicly supporting it currently in the new Function Junction commercial development as well as the Creekside Plaza redevelopment, among others. How does this make any sense? You are completely contradicting yourselves and the message you're sending, and that is being received by local workers, is one akin the leadership of the current Republican Party in the US. Precise and consistent messaging is something I take great pride in delivering to my staff every day and I find it uniquely frustrating that this Mayor and council can't lead with the same frame of mind. My honest and sincere thanks to Councilor's Anderson, Ford, and Jewett for their genuine support to date; it is truly refreshing and appreciated that you fully understand the issues we face daily.

The addition of three more auxiliary dwelling units, to house people that work for us, does not seem like a complete and utter abandonment from current zoning allowances. CME is an essential service provider in Whistler. When one of your water mains blows up in the middle of the night, guess whose phone rings? Ours. We operate and maintain nearly 40 pieces of snow removal equipment in the winter season and our staff work all hours of the day and night to service public and private property daily. As most of our staff commute from north and south to our facility to start their work day at 4:00 AM or midnight, it sure would be nice to have an option to house a few more of them on site so we can deliver and even more reliable service to the community of Whistler and be a small help to a housing crisis that isn't going anywhere fast.

My office window is a total of 25 feet from the fully lit and paved Valley Trail that runs right through the whole of Nester's Crossing. Every day I watch people out jogging, walking, riding their bikes along it with babies in strollers and dogs leashed and not. The supposed lack of illuminated sidewalks here is also false and unfounded. We have a fully lit, every 30 meters, and paved Valley Trail running through the whole site that is used by the community each and every day. Allowing a few more people to live here is not going to change that nor add any additional traffic that isn't already coming here on a daily basis. Staff's comments that power lines are a health hazard when they already exist in front of or behind staff housing in Function Junction, Seppo's, and Riverside campground don't seem to be a problem, so why is it here?

In summary, the short sighted approach you are taking on this rezoning amendment is having a detrimental effect on my business and is contradictory to your support of other similar development needs being met; it's insane. You are hindering my ability to operate in a more efficient manner, you are not helping local people that love to live here stay here, and furthermore the manner in which you are directing staff to characterize this is very discouraging to people that just want to run a good business and further their ability to grow and succeed in this town. Your careful and factually referenced review of the staff report with owner's comments being allowed to be incorporated is very much needed and appreciated.

Yours Truly,

Coastal Mountain Excavations Ltd.

Matt Woods

President, Director



May 1, 2018

Good afternoon Mayor Wilhelm-Morden and Council,

I would like to make a request for Fitzsimmons Covered Bridge to be lit in light blue and/or green during Cystic Fibrosis Awareness Month in May. If one date or week is available, may we request May 16, 2018? I have included some information about cystic fibrosis and our request but please feel free to contact me should you require further information.



Cystic Fibrosis Canada http://www.cysticfibrosis.ca/about-cf

Cystic Fibrosis (CF) Awareness Month is each May of every year, and is an internationally recognized month to raise awareness and funds to help find a cure or control for CF, the most common fatal genetic disease affecting Canadian children and young adults. At present, there is no cure.

CF causes various effects on the body, but mainly affects the digestive system and lungs. The degree of CF severity differs from person to person, however, the persistence and ongoing infection in the lungs, with destruction of lungs and loss of lung function, will eventually lead to death in the majority of people with CF.

Typical complications caused by cystic fibrosis are:

- Difficulty digesting fats and proteins
- Malnutrition and vitamin deficiencies because of inability to absorb nutrients
- Progressive lung damage from chronic infections and aberrant inflammation
- CF related diabetes
- Sinus infections

It is estimated that one in every 3,600 children born in Canada has CF. More than 4,200 Canadian children, adolescents, and adults with cystic fibrosis attend specialized CF clinics.

CAUSES OF CYSTIC FIBROSIS

Cystic fibrosis is a genetic disease that occurs when a child inherits two abnormal genes, one from each parent. Approximately, one in 25 Canadians carry an abnormal version of the gene responsible for cystic fibrosis. Carriers do not have cystic fibrosis, nor do they exhibit any of the symptoms of the disease. When two parents who are carriers have a child, there is a 25 percent chance that the child will be born with cystic fibrosis; there is also a 50 percent chance that the child will be a carrier; and a 25 percent chance that the child will neither be a carrier nor have cystic fibrosis.



SYMPTOMS OF CYSTIC FIBROSIS

- Cystic fibrosis is a multi-system disorder that produces a variety of symptoms including:
- Persistent cough with productive thick mucous
- Wheezing and shortness of breath
- Frequent chest infections, which may include pneumonia
- Bowel disturbances, such as intestinal obstruction or frequent, oily stools
- Weight loss or failure to gain weight despite possible increased appetite
- Salty tasting sweat
- Infertility (men) and decreased fertility (women)

DIAGNOSING CYSTIC FIBROSIS

Genetic testing, prenatal and newborn screening for CF are administered in every baby in Canada. Additionally, if a doctor suspects a patient has CF, a 'sweat test' may be administered. This test measures the amount of salt content present in the sweat. If the test comes back positive, it means the sweat collected contains more salt than usual and supports a diagnosis of CF.

Cystic Fibrosis Awareness Month will be promoted throughout Canada, through our social media channels both nationally and in B.C., and our newsletter which is sent to all subscribers. We will be visiting during the event and taking photos to share on our various social media channels. We will make specific mention, including a photo of the lights and a geotag, on our regional social media channels.



Kind regards,

Sandra

Sandra Niven Associate, Fund Development Cystic Fibrosis Canada, British Columbia and Yukon Region 301-3185 Willingdon Green | Burnaby, BC V5G 4P3 Tel: 604-436-1158 ext 105 | Mobile: 778-861-1972 sniven@cysticfibrosis.ca www.cysticfibrosis.ca



Landmark Lighting Request Form

Please complete the form and scan/email to 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	Sandra Niven	
Organization	Cystic Fibrosis Canada	
Business Address	301 - 3185 Willingdon Green	
City/Province/Postal Code	Burnaby BC V5G 4P3	
Business Phone Number	6044361158	
Business Email	sniven@cysticfibrosis.ca	
Website Address	www.cysticfibrosis.ca	
Brief description of the event associated with your request (Information here will be used for communications and the sign on the bridge. Max 75 words. RMOW will edit copy if necessary.)	Cystic Fibrosis (CF) Awareness Month is each May of every year, and is an internationally recognized month to raise awareness and funds to help find a cure or control for CF, the most common fatal genetic disease affecting Canadian children and young adults. At present, there is no cure. But there is hope. Join us in the 'Walk to Make Cystic Fibrosis History' on May 27. More information: http://www.cysticfibrosis.ca/walk/	
Optional: Social Media Campaign Title (include hashtags)	https://www.facebook.com/CysticFibrosisWesternCanada/ https://www.facebook.com/CFCanada.LowerMainland/ https://twitter.com/CFCanadaWestern https://www.instagram.com/cfcanadawestern/	
Landmark Choice	Fitzsimmons Covered Bridge	
Date of Event	May 16, 2018	
Colour Request	Blue	

Signature:	
_{Date:} May 1, 2018	