



WHISTLER

AGENDA

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, JANUARY 9, 2018, STARTING AT 5:30 P.M.**

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

ADOPTION OF AGENDA

Adoption of the Regular Council Meeting Agenda of January 9, 2018.

ADOPTION OF MINUTES

Adoption of the Regular Council Meeting Minutes of December 19, 2017.

PUBLIC QUESTION AND ANSWER PERIOD

MAYOR'S REPORT

INFORMATION REPORT

Third Quarter
Financial Report –
2017
File No. 4527
Report No.18-001

A presentation by municipal staff.

That Council receive Information Report No.18-001 Quarterly Financial Report for the nine months ended September 30, 2017.

ADMINISTRATIVE REPORTS

Zoning Amendment
Bylaw (Cannabis
Retail, Production
and Distribution)
No. 2159, 2017
File No. RZ1140
Report No.18-004

A presentation by municipal staff.

That Council consider giving first and second readings to “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”; and

That Council authorize staff to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”.

Infrastructure
Services Project
Budget Amendments
File No. 150
Report No. 18-003

A presentation by municipal staff.

That Council direct staff to prepare an amendment to the Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017 for three capital projects, E004 Annual Water Reconstruction (increase by \$458,800), E108 Alpine Reservoir Level Control (increase by \$60,000), and E133 Primary Tank Flow Equalization (increase by \$115,000) for a total of \$663,800 to the Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017.

DVP1138 –
6163 Eagle Drive –
Setback Variances
File No. DVP1138
Report No.18-002

No presentation.

That Council approve the issuance of Development Variance Permit DVP1138 for a proposed carport relocation at 6163 Eagle Drive to vary the front setback from 5 metres to 1.51 metres and vary the north side setback from 3 metres to 1.81 metres as shown on plans A1.0 and A3.0 prepared by C.S. Clark Design,

dated November 10, 2017, attached as Appendix “B” to Administrative Report to Council No. 18–002.

MINUTES OF COMMITTEES AND COMMISSIONS

Forest and Wildland
Advisory Committee

Regular Meeting Minutes of the Forest and Wildland Advisory Committee of November 8, 2017.

Whistler Bear
Advisory Committee

Regular Meeting Minutes of the Whistler Bear Advisory Committee of November 8, 2017.

BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment
Bylaw (Cannabis
Retail, Production
and Distribution)
No. 2159, 2017

That “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017” be given first and second readings.

OTHER BUSINESS

2018 Advisory
Design Panel
Appointments

That Council appoint eight (8) members to the Advisory Design Panel for the 2018 term as follows:

- Three (3) professional architects who are registered members of the Architectural Institute of B.C.;
- Two (2) professional landscape architects who are registered members of the B.C. Society of Landscape Architects;
- One (1) professional land developer who is a registered member of the Urban Development Institute of Canada; and
- Two (2) regular public-at-large members, one of which has professional expertise in the development industry.

CORRESPONDENCE

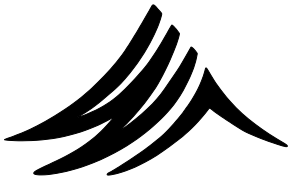
Local Government
Share in Cannabis
Tax Revenue
File No. 2014

Correspondence from Doug Findlater, Mayor of the District of West Kelowna, dated December 13, 2017, requesting support to lobby the provincial government for a local government cannabis taxation sharing formula.

Whistler Housing,
Staffing
and Transportation
File No. 3009

Correspondence from Drew McEwan, dated December 22, 2017, regarding housing, staffing and transportation in Whistler.

ADJOURNMENT



WHISTLER

MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, DECEMBER 19, 2017, STARTING AT 5:30 P.M.**

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

PRESENT:

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

Chief Administrative Officer, M. Furey
General Manager of Corporate and Community Services, N. McPhail
General Manager of Infrastructure Services, J. Hallisey
General Manager of Resort Experience, J. Jansen
Director of Planning, M. Kirkegaard
Director of Corporate, Economic and Environmental Services, T. Battiston
Municipal Clerk, B. Browning
Manager of Communications, M. Comeau
Economic Development Analyst, J. Chen
Planner, F. Savage
Planning Analyst, K. Creery
Planning Analyst, R. Licko
Council Coordinator, S. Termuende

Agenda

ADOPTION OF AGENDA

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

That Council adopt the Regular Council Agenda of December 19, 2017.

CARRIED

Minutes

ADOPTION OF MINUTES

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

That Council adopt the Regular Council Minutes of December 5, 2017.

CARRIED

Public Question and Answer Period

PUBLIC QUESTION AND ANSWER PERIOD

John Wood
8573 Drifter Way
Re: Whistler's
Growth and
Growth
Limitations

Mr. Wood asked when will enough be enough and when is big too big. Mr. Wood also asked Council about the goals for the RMOW's sustainable future.

Mayor Nancy Wilhelm-Morden stated that this has been an issue that the RMOW has been reviewing with the Mayor's Task Force on Resident Housing, the Economic Partnership Initiative and the Official Community Plan.

Mayor Nancy Wilhelm-Morden stated that the RMOW has a limit to growth set out in the Official Community Plan.

Mr. Wood stated that the limit keeps being expanded on and this is the definition of unsustainability.

Mayor Nancy Wilhelm-Morden stated that in revisiting the Official Community Plan in 2018, Council will be looking to the community to hear their feedback on growth. Mayor Nancy Wilhelm-Morden stated that Council, staff, the Economic Partnership Initiative, the Transportation Advisory Group and the Mayor's Task Force on Resident Housing share concerns of growth.

Dave Patterson
2062 Garibaldi Way
Re: RZ1144-2077
Garibaldi Way

Mr. Patterson asked if there ever an excavation permit approved for the site.

General Manager of Resort Experience Jan Jansen stated that he did not know, but that he will look in to this. Mayor Nancy Wilhelm-Morden stated that on a private property you can cut trees down without a permit.

Mr. Patterson asked how staff and Council determine acceptable impacts to a single family residential neighbourhood.

Nancy Wilhelm-Morden stated that the RMOW will be consulting the public through the rezoning and Public Hearing process and listening to the community impacts through that process.

Mr. Patterson asked for clarification if Council thought that the \$3.00 per square foot rate is affordable.

Mayor Nancy Wilhelm-Morden stated that the developer has a certain type of tenant, with projected incomes that would make it affordable, that the developer is aiming to house in this development, specifically management type tenants.

Mr. Patterson sought clarification regarding the criteria that Council is basing those decisions on.

Chief Administrative Officer Mike Furey stated that at the last Council Meeting, Council considered the Guidelines for Evaluating Private Sector Rezoning Proposals for Employee Housing. Mr. Furey further stated that Whistler is in a housing crisis and we need to balance a range of interests. He stated that there is not an easy answer but noted that staff and Council are trying to balance an array of issues that Council will consider tonight.

Rich Hume
2239 Aspen Drive
Re: RZ1144-2077
Garibaldi Way

Mr. Hume sought clarification regarding how the developer decided that 222 bed units for the size of land was reasonable and how Council will address increased traffic access and egress from Highway 99.

Mayor Nancy Wilhelm-Morden clarified if Mr. Hume was asking about the decision regarding bed density. She confirmed that the proposal went through the developer's engineers and that the application is currently up for Council review. Should Council agree to move forward, future staff Reports will detail traffic analysis and additional site layout plans.

Suzie Bates
Aspen Court
Re: RZ1144-2077
Garibaldi Way

Ms. Bates stated that she appreciates this project and is not opposed to it.

Ms. Bates asked about the rental rates, affordability and suite size for the 2077 Garibaldi Way development. Ms. Bates asked if anyone asked the employers what they actually can house and what the community actually needs.

Mayor Nancy Wilhelm-Morden stated that she understood that the developer has done significant due diligence and stated that one third of one's salary is considered affordable.

PRESENTATIONS AND DELEGATIONS

Community
Enrichment Program
Report Back

A presentation by Julie Van Eesteren, Early Years Coordinator, Sea to Sky Community Services Society regarding the 2017 Community Enrichment Program Report Back.

Community
Enrichment Program
Report Back

A presentation by Laurie Hannah and Shana Murray, Community Program Managers, Howe Sound Women's Centre regarding the 2017 Community Enrichment Program Report Back.

MAYOR'S REPORT

Mayor's Report

Inside Scoop Tradeshow

On Tuesday, December 12, 2017, the Resort Municipality of Whistler participated in the Inside Scoop tradeshow. Important information about parking regulations, transportation options, composting, recreation programs and services and the Walk Safe program was shared with hundreds of attendees. The tradeshow brings over one hundred retailers, restaurants, and activity providers to the Whistler Conference Centre. This is a great opportunity for Whistler employees to learn about local business offerings for the upcoming season. The tradeshow is run by Tourism Whistler, who partners with the RMOW.

Operation Candy Cane a Success

On Friday, December 8, 2017, the Sea to Sky Highway Road Closure Protocol Working Group stopped vehicles as they passed through a check point near Lions Bay as part of Operation Candy Cane. Dozens of vehicles were checked for winter tire laws, vehicle defects and sobriety. Over three thousand vehicles passed through the checkpoint. Those with improper tires were turned around and sent back to Vancouver. The RMOW partnered with ICBC, Integrated Road Safety Unit, West Vancouver Police, Miller-Capilano, and the RCMP. This work is part of the Sea to Sky Highway Road Closure Protocol Working Group's broader efforts to improve travel and reduce incidents on the highway.

Non-Traditional Business Liquor Licence Open House

On December 14, 2017, over 30 community members attended the RMOW's open house about non-traditional business liquor licences. A provincial policy permitting non-traditional businesses to apply for a liquor licence came into effect in January 2017. With hundreds of Whistler businesses now eligible for a food primary or liquor primary licence, municipal staff have identified the need for guidelines surrounding the issuance of these licences. Open house participants provided comments on questions designed to assist with the development of policies and regulations for the issuing of these licences in Whistler. Those who were not able to attend the open house can submit their feedback online until January 2, 2018. Municipal staff will work with the Liquor Licence Advisory Committee to review the community comments and prepare a policy and bylaw amendments for Council's consideration in February or March of 2018. For more information visit whistler.ca.

Opening Weekend at the Whistler Olympic Plaza Skating Rink

The Whistler Olympic Plaza skating rink opened on Saturday, December 9, 2017. There were lineups out to the stairs, and over 885 skates were rented. This is significant increase compared to last year. The Snow Zone that is adjacent to the skating rink in the Plaza is also open for public enjoyment. Congratulations on a successful opening and Mayor Nancy Wilhelm-Morden stated that she looked forward to getting out and skating on the rink.

Mayor's Year End Message

Mayor Nancy Wilhelm-Morden reflected on the RMOW's accomplishments in 2017 and Council's plans for 2018.

Mayor Nancy Wilhelm-Morden made a special acknowledgement to the late Councillor Andrée Janyk. She is greatly missed.

Many notable accomplishments in 2017 include:

- The Alpine Trail network;
- Completion of the Alpine Meadows water main replacement and paving in that neighbourhood;
- Continued development on the Cultural Connector;
- Work toward completion of the Gateway Loop;
- Launch of the new GIS online map including a variety of new tools such as Valley Trail clearing map and parking map;
- Housing initiatives through the Mayor's Task Force on Resident Housing (including Tourist Accommodation Review, research and long term recommendations);
- Meadow Park Sports Centre Valley Trail extension;
- The Artificial Turf Field;
- Parkhurst land acquisition;
- Transportation Action Plan and successful implementation of a variety of measures to reduce congestion and grow the options for preferred modes of transportation; and
- Waste diversion initiatives to continue to increase our landfill diversion rates including:
 - upgrades to the Nester's waste depot; and
 - the Solid Waste Bylaw update focused on organic waste within commercial and residential stratas.

Mayor Nancy Wilhelm-Morden noted that there will be no new debt. She also noted that the RMOW is on track to be debt free in the next 10 years.

Mayor Nancy Wilhelm-Morden stated it has been a big year and those are just some of the accomplishments of the organization on behalf of the community.

Mayor Nancy Wilhelm-Morden stated that 2017 has been one of the best years on record for our community's tourism economy. Mayor Nancy Wilhelm-Morden thanked RMOW partners Tourism Whistler, the Whistler Chamber of Commerce and Whistler Blackcomb, for making Whistler a truly incredible place to live and visit. Mayor Nancy Wilhelm-Morden stated that she looked forward to working with our new 2017 partner, Vail, towards future community success. It is a busy time for the community and the RMOW recognizes that recent economic successes

have also created local pressures. In September, members of Council, Chief Administrative Officer Mike Furey and Mayor Nancy Wilhem-Morden attended the Union of B.C. Municipalities Convention. A number of topics were discussed in meetings with eight Ministers, including the Premier. Relationships with the Province, the Government of Canada and the RMOW's partner organizations in Whistler have always been core to the RMOW's success and way of doing things in Whistler. As the community continues to evolve and visitation to Whistler increases, the RMOW is constantly evolving and adapting to the needs of residents and visitors. Hundreds attended the November 6, 2017 Community Forum to learn about important local issues such as housing, transportation, economic health, and environmental impacts and to share feedback with staff and Council about long term planning.

Mayor Nancy Wilhelm-Morden stated that it is an important time for the community and this Council. It is the final year in the term of this Council. While the RMOW is quite focused on current community pressures, and on delivering what we set out to, Council must balance this with looking forward to long-term planning that helps ensure the RMOW's future success for generations to come.

In 2018, Council will focus on the following priorities:

- Continue to prioritize core municipal service delivery excellence;
- Implement actions to advance housing, transportation and affordability initiatives;
- Facilitate improved community environmental performance;
- Expand wildfire protection activities; and
- Initiate engagement to revise the Official Community Plan and the associated Community Vision.

These are largely refinements of current Council priorities and are areas that require substantial focus over time in order to effectively complete. For example, the Mayor's Task Force on Resident Housing has established recommendations that we fully intend to deliver on. The update of the RMOW Community Vision and Official Community Plan is a new priority this year, although it has been on the radar for some time. Engaging the community and refreshing these important documents will help guide Council's decisions and evolution of the community into the future. The public will hear more about staff recommendations for this important project later in this evening's Meeting. The Council priorities will be used by staff in the development of the updated Corporate Plan and budget for 2018.

There will be a number of opportunities for the community to learn more about the 2018 Plan and budget moving forward over the coming months. Council looks forward to continued community success and strong partnerships in the New Year. Mayor Nancy Wilhelm-Morden acknowledged the work of members of Council and staff for the work they do on behalf of the Whistler community. Thank you.

As the holiday season approaches, on behalf of Whistler Council, Mayor Nancy Wilhelm-Morden extended Council's best wishes to Whistler residents, visitors, and community partners for a safe and happy holiday season.

On behalf of Council, Councillor Cathy Jewett attended Spring Creek Elementary School, where they planted a miniature forest and noted that the children created miniature ornaments for the newly planted trees. Councillor Cathy Jewett

reported that this was a beautiful ceremony.

INFORMATION REPORTS

2017 Community
Enrichment Program
Report Backs
File No. 3004
Report No. 17-144

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

That Information Report No. 17-144 regarding the 2017 Community Enrichment Program Report Backs be received.

CARRIED

ADMINISTRATIVE REPORTS

SEC0023 –
8240 Valley Drive
Flood Proofing
Exemption
File No. SEC0023
Report No. 17-136

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

That Council grant an exemption in accordance with Section 524 of the *Local Government Act* – “Requirements in Relation to Flood Plain Areas”, to permit a building addition at 8240 Valley Drive within the 30 metre flood proofing setback specified in “Zoning and Parking Bylaw No. 303, 2015” as shown in Site Plan A1.2 prepared by Stark Architecture Ltd. and dated November 1, 2017, attached as Appendix “B” to Administrative Report to Council No.17-136; and further

That Council authorize the Mayor and Municipal Clerk to execute a Section 219 covenant on the title of the subject property for this exemption, indemnifying the Municipality and attaching the geotechnical report prepared by EXP Geotechnical, dated November 2, 2017, confirming that the proposed building location and design are safe for the intended residential use.

CARRIED

Final Report from the
Mayor’s Task Force
on Resident Housing
File No. 2150
Report No. 17-137

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

That Council receive the final report from the Mayor’s Task Force on Resident Housing as presented at the recent Community Forum and shown in Appendix “A” of this Report; and

That Council direct staff to implement the recommended actions from the Task Force as a priority, and ensure appropriate staff resources are allocated accordingly.

CARRIED

RZ1144 –
2077 Garibaldi Way
Employee Restricted
Housing Rezoning
File No. RZ1144
Report No. 17-142

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

That Council authorize further review and processing of Rezoning Application RZ1144; and

That Council direct staff to prepare a zoning amendment bylaw for RZ1144 to create a new site specific zone for the lands at 2077 Garibaldi Way that would provide for employee restricted rental housing on the lands as described in this Report #17-142.

CARRIED

SLRD Regional
Growth Strategy
Amendment Bylaw
No. 1514, 2017
Acceptance
File No. 9213
Report No. 17-140

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

That Council accept Squamish-Lillooet Regional District Regional Growth Strategy Amendment Bylaw No. 1514, 2017; and

That Council authorize the Municipal Clerk to notify the Squamish-Lillooet Regional District Board of Directors that the Resort Municipality of Whistler has accepted Squamish-Lillooet Regional District Regional Growth Strategy Amendment Bylaw No. 1514, 2017 as proposed.

CARRIED

Community Vision
and Official
Community Plan
Update-2018
Continuation-
Proposed Project
Approach
File No. 7503.03
Report No.17-141

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

That Council endorse the proposed project approach for the 2018 continuation of the community vision and Official Community Plan update as presented in Appendix "A"; and,

That Council endorse the proposed community, First Nations and stakeholder engagement strategy for the 2018 continuation of the community vision and Official Community Plan update as presented in Appendix "B"; and

That Council endorse consultation during the development of the Official Community Plan update as outlined in this report, as required under sections 475 and 476 of the *Local Government Act* and as a continuance of the consultation that Council previously endorsed in 2010 and conducted in 2011 through 2012; and further,

That Council direct staff to proceed with the project as presented.

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

That the motion be amended to focus on the Official Community Plan and eliminate any tampering or changes to Whistler2020.

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

AMENDMENT DEFEATED

OPPOSED: Councillor S. Maxwell

CARRIED

Tourdex.com
Systems Inc. 2017
Annual Report
File No. Vault
Report No. 17-143

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

That the Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolve that the Municipality, as one of the shareholders of Tourdex.com Systems Inc., pass the consent resolutions of the shareholders of Tourdex.com Systems Inc., copies of which are attached to this Administrative Report as Appendix "A", and that the Mayor and Municipal Clerk execute and deliver the attached resolutions on behalf of the Municipality.

CARRIED

LLR1297 –
Portobello
Restaurant
Permanent Change
to Food Primary
Hours of Liquor
Service
File No. LLR1297
Report No. 17-135

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

That Council authorize the resolution attached as Appendix “A” to Administrative Report No. 17-135 providing Council’s recommendation to the Liquor Control and Licensing Branch in support of an application for a Permanent Change to Hours of Liquor Service for Portobello Restaurant, Food Primary Licence No. 132448, to change hours of liquor service to 9:00 a.m. to 1:00 a.m. Monday through Sunday.

CARRIED

BYLAWS FOR ADOPTION

Parks & Recreation
Fees & Charges
Regulation
Amendment Bylaw
No. 2168, 2017

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

That “Parks & Recreation Fees & Charges Regulation Amendment Bylaw No. 2168, 2017” be adopted.

CARRIED

Five-Year Financial
Plan 2017-2021
Amendment Bylaw
No. 2170, 2017

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

That “Five-Year Financial Plan 2017-2021 Amendment Bylaw No. 2170, 2017” be adopted.

CARRIED

OTHER BUSINESS

2018 Acting Mayor
Appointments

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

That Council appoint the respective member of Council as Acting Mayor for each of the months of 2018 as follows:

January:	John Grills	July:	Jen Ford
February:	John Grills	August:	Jen Ford
March:	Steve Anderson	September:	Jack Crompton
April:	Steve Anderson	October:	Jack Crompton
May:	Cathy Jewett	November:	Cathy Jewett
June:	Sue Maxwell	December:	Sue Maxwell

CARRIED

2018 Council
Appointments to
Boards and
Committees

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

That Council make the following changes to Committees of Council for 2018:

That Council remove Mayor Nancy Wilhelm-Morden from the Human Resources Standing Committee and appoint Councillor Cathy Jewett;

That Council remove Councillor John Grills from the Forest and Wildland Advisory Committee and appoint Councillor Cathy Jewett;

That Council remove Councillor Steve Anderson from the May Long Weekend Committee and appoint Councillor Cathy Jewett;

That Council remove Councillor Jack Crompton from the Transportation Advisory Group and appoint Councillor Cathy Jewett; and
That Council remove Councillor Jen Ford from AWARE and appoint Councillor Cathy Jewett.

CARRIED

Squamish-Lillooet
Regional District
Board of Directors
Alternate Director
System

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

That Council, in accordance with Section 200(3)(b) of the *Local Government Act*, allow any Resort Municipality of Whistler Squamish-Lillooet Regional District Alternate Director to act for any Resort Municipality of Whistler Squamish-Lillooet Regional District Director when that Director is unable to act.

CARRIED

Whistler Bear Advisory
Committee –
Member at Large

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

That Council appoint Meg Toom to the Whistler Bear Advisory Committee as the Member-at-Large for a two-year term as per the Whistler Bear Advisory Committee Terms of Reference.

CARRIED

2018 Library Board
Appointments

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

That Council appoint Gordon Annand, Bevin Heath Ansley, Kelly Garthshore, Josie Chuback, and Mandy Rousseau to the Whistler Public Library Board of Trustees for a two-year term starting January 1, 2018.

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

That Council appoint Allison Winkle to the Whistler Public Library Board of Trustees for a one-year term starting January 1, 2018.

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

That Council appoint Councillor Cathy Jewett to the Whistler Public Library Board of Trustees for a one-year term starting January 1, 2018.

CARRIED

Whistler 2020
Development
Corporation Director
Resignation and
Director
Appointment

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

That Council recognize the resignation of Melissa MacKay from the Whistler 2020 Development Corporation, and that Council appoint Marla Zucht as a Director to the Whistler 2020 Development Corporation.

CARRIED

Mayor Nancy Wilhelm-Morden thanked outgoing board member Melissa MacKay, who served on the Whistler 2020 Development Corporation board from February 2005 through this year. During the period that she served on the board, all of the planning and building of the Cheakamus Crossing neighbourhood was completed, the housing was used by athletes during the 2010 Olympic and Paralympic Winter Games and subsequently became home to many Whistler residents. The Cheakamus Crossing neighbourhood has continued to evolve with involvement by

the WDC board involved in ongoing planning and development, which will continue to provide community legacies into the future.

Mayor Nancy Wilhelm-Morden stated that Committee work is core to a successful municipality and thanked everyone who contributes their time and knowledge to Council's 18 committees and boards.

CORRESPONDENCE

Phase II –
Federal
Infrastructure
Investment Plan
File No. 3009

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

That correspondence from Pamela Goldsmith-Jones, Member of Parliament for West Vancouver-Sunshine Coast-Sea to Sky Country, dated November 27, 2017, regarding Phase II of the Federal Government's Infrastructure Investment Plan be received and referred to staff.

CARRIED

UBCM Follow Up
File No. 3009

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

That correspondence from Selina Robinson, Minister of Municipal Affairs and Housing, dated December 8, 2017, regarding the issues raised at the 2017 UBCM Convention be received.

CARRIED

ADJOURNMENT

Adjournment

Moved by Councillor J. Ford

That Council adjourn the Regular Council Meeting of December 19, 2017 at 8:14 p.m.

CARRIED

Mayor, N. Wilhelm-Morden

Municipal Clerk, B. Browning



REPORT | INFORMATION REPORT TO COUNCIL

PRESENTED: January 9, 2018

REPORT: 18-001

FROM: Corporate and Community Services

FILE: 4527

SUBJECT: THIRD QUARTER FINANCIAL REPORT – 2017

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate and Community Services be endorsed.

RECOMMENDATION

That Council receive Information Report No. 18-001 Quarterly Financial Report for the nine months ended September 30, 2017.

REFERENCES

Appendix “A” – Quarterly Financial Report for the nine months ended September 30, 2017.

PURPOSE

The purpose of the Report is to provide Council with a comparison of the annual budget amounts with year to date actual revenues and expenditures for operating departments and projects and to advise Council of the investment holdings as of September 30, 2017.

DISCUSSION

Nine months into the 2017 fiscal year overall operating revenues were at 86 per cent and expenditures 73 per cent of their annual budgeted amounts. This compares to 99 per cent and 75 per cent respectively in the prior fiscal year.

Investment income, including changes in market values, for the nine months ended September 30, 2017 was \$1,583,799 (unaudited). This is 67 per cent of the total budgeted investment income for the year. Yields to maturity on fixed term investments range from 1.27 per cent to 3.47 per cent while pooled funds returned just 0.71 per cent. Additional commentary and financial information is provided in the report attached as Appendix “A”.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Finance	The long term consequences of decisions are carefully considered.	The investment strategy, with one exception, is compliant with the Policy and seeks to maximize investment returns while preserving principal.
Finance	Common evaluation criteria are used to assess actions.	The Policy is readily understood and complied with. Investment performance is reported and evaluated on a regular basis.
Finance	Common evaluation criteria are used to assess actions.	A financial overview is reported and evaluated on a regular basis.

OTHER POLICY CONSIDERATIONS

Council Policy A-3: *Investments Policy* requires reporting of investment holdings, investment performance on an annual basis.

BUDGET CONSIDERATIONS

There are no direct external costs to prepare the quarterly financial report. All internal costs are accommodated within the annual operating budget of the municipality.

COMMUNITY ENGAGEMENT AND CONSULTATION

Financial information continues to be reported publicly on a regular basis.

SUMMARY

Municipal operating and project revenues and expenditures are reported with comparison to annual budget. Investment holdings and performance are reported as required by the investment policy.

Respectfully submitted,

Ken Roggeman
DIRECTOR OF FINANCE
for
Norm McPhail
GENERAL MANAGER OF CORPORATE AND COMMUNITY SERVICES

THIRD QUARTER FINANCIAL REPORT

FOR THE NINE MONTHS ENDED SEPTEMBER 30, 2017

The Resort Municipality of Whistler | January 9, 2018

THE PREMIER MOUNTAIN RESORT COMMUNITY
MOVING TOWARD A SUSTAINABLE FUTURE



INTRODUCTION

Quarterly financial reporting is being prepared by the Resort Municipality of Whistler as a means of providing the community, council and the organization with a regular overview of financial information. Quarterly financial reporting is a priority identified by council as part of its Council Action Plan in the priority areas of fiscal responsibility and accountability.

The primary information provided in the quarterly report is a comparison of the annual budget amounts to actual revenues and expenditures for operating departments and projects. All financial information is based on preliminary, unaudited information reported from the municipal financial system as of the report date. Seasonal variations in municipal operations may affect the proportion of revenues achieved or expenditures incurred to date. This is particularly evident with projects as the project activity may not have commenced or may have incurred few actual expenditures as at the end of the reporting period.

This quarterly report provides information in five parts:

Commentary, pages 3-5

- Charts and comments

Summary of Operational Results, pages 6-7

- Summary of primary revenue categories
- Summary of expenditures by division
- Other expenditures and allocations

Operational results are revenues and expenses that the municipality normally carries out on an annual basis. Operational costs are paid for by current year revenues.

Statements of Operational Results, pages 8-15

- Revenues and expenditures by department

Statements of Net Project Expenditures, pages 16-22

- Summary of net project expenditures

Net project expenditures are project costs less funding, if any, from sources outside of the municipality. Projects are used to plan and account for transactions that do not take place every year. Examples are; construction of a bridge, infrastructure maintenance and one-time activities or events.

Investments, pages 23-24

- Investment commentary
- Summary of investment holdings and returns

Council Policy A-3 "Investments" sets out quarterly reporting requirements to Council for municipal investments. Previously prepared as a separate report, investment holdings, performance and any deviations from the policy are now consolidated into the quarterly financial report.

All amounts are presented on a non-consolidated basis which may give rise to some variations from amounts included in the actual Five-Year Financial Plan Bylaw. Non-consolidated means that subsidiary companies of the municipality (Whistler Housing Authority for example) are not included and, interdepartmental sales and purchases have not been removed. The Statements of Operational Results and, Net Project Expenditure are

supplementary information and provide additional detail for readers. Quarterly financial reporting follows the fiscal year of the municipality which is January 1 through December 31.

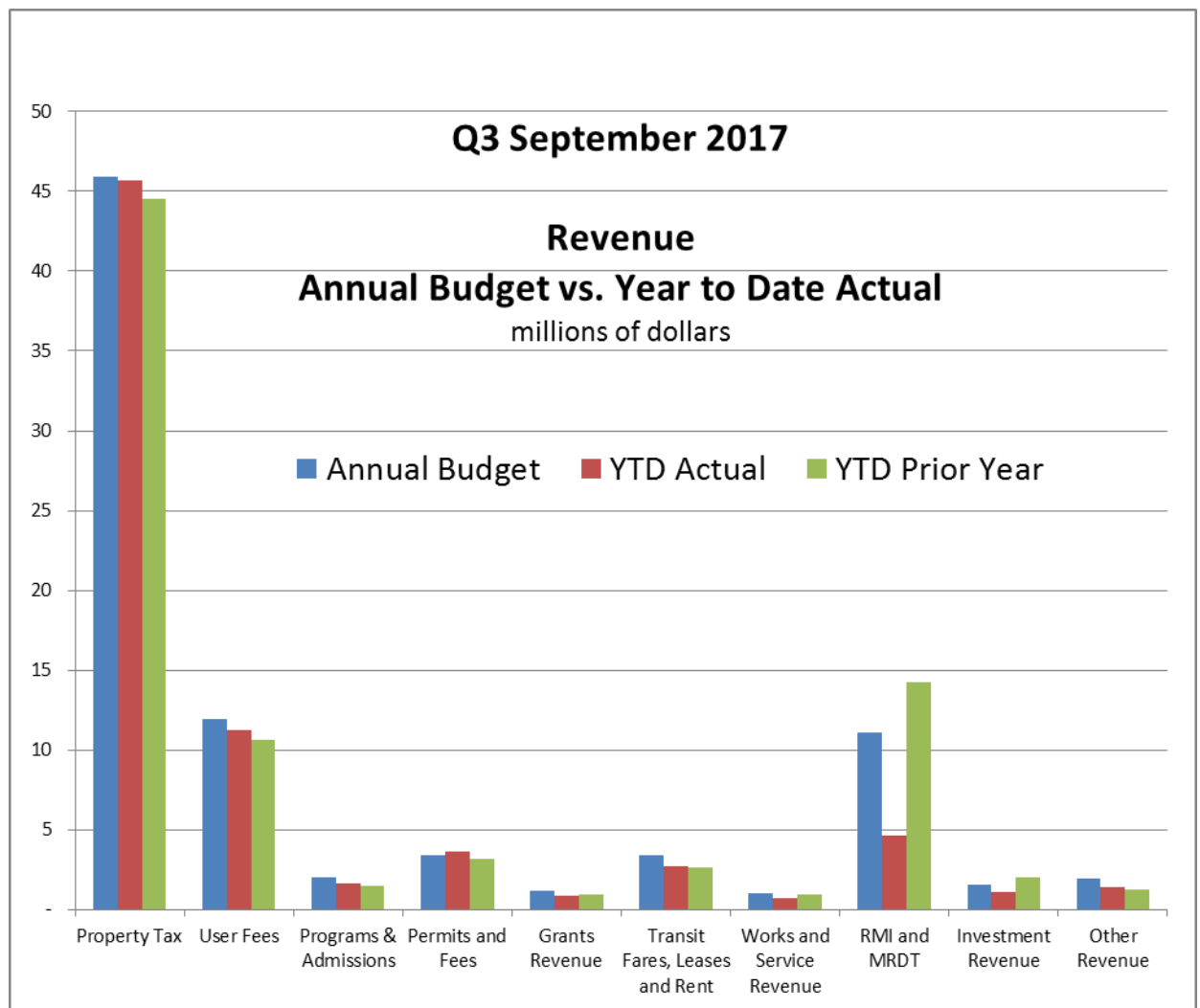
Questions or comments about this report can be made by:

Email – budget@whistler.ca

Phone – 604-932-5535 (Toll free 1-866-932-5535)

COMMENTARY

Nine months into the 2017 fiscal year overall operating revenues were at eighty six percent and expenditures seventy three percent of their annual budgeted amounts. This compares to ninety nine percent and seventy five percent respectively in the prior fiscal year. A significant amount of revenue is accounted for by midyear primarily due to completion of the property tax and utility user fee billing cycle during the second quarter. Most revenue line items are about the same or greater than the prior year with the exception of works and service revenue and investment income. Municipal investments are primarily fixed income investments. Investment returns have declined due to the continued period of low interest rates.



Other seasonal variations and factors that impact the proportion of revenue achieved as of the end of the reporting period include:

Municipal and Regional District Tax (MRDT – Hotel Tax)

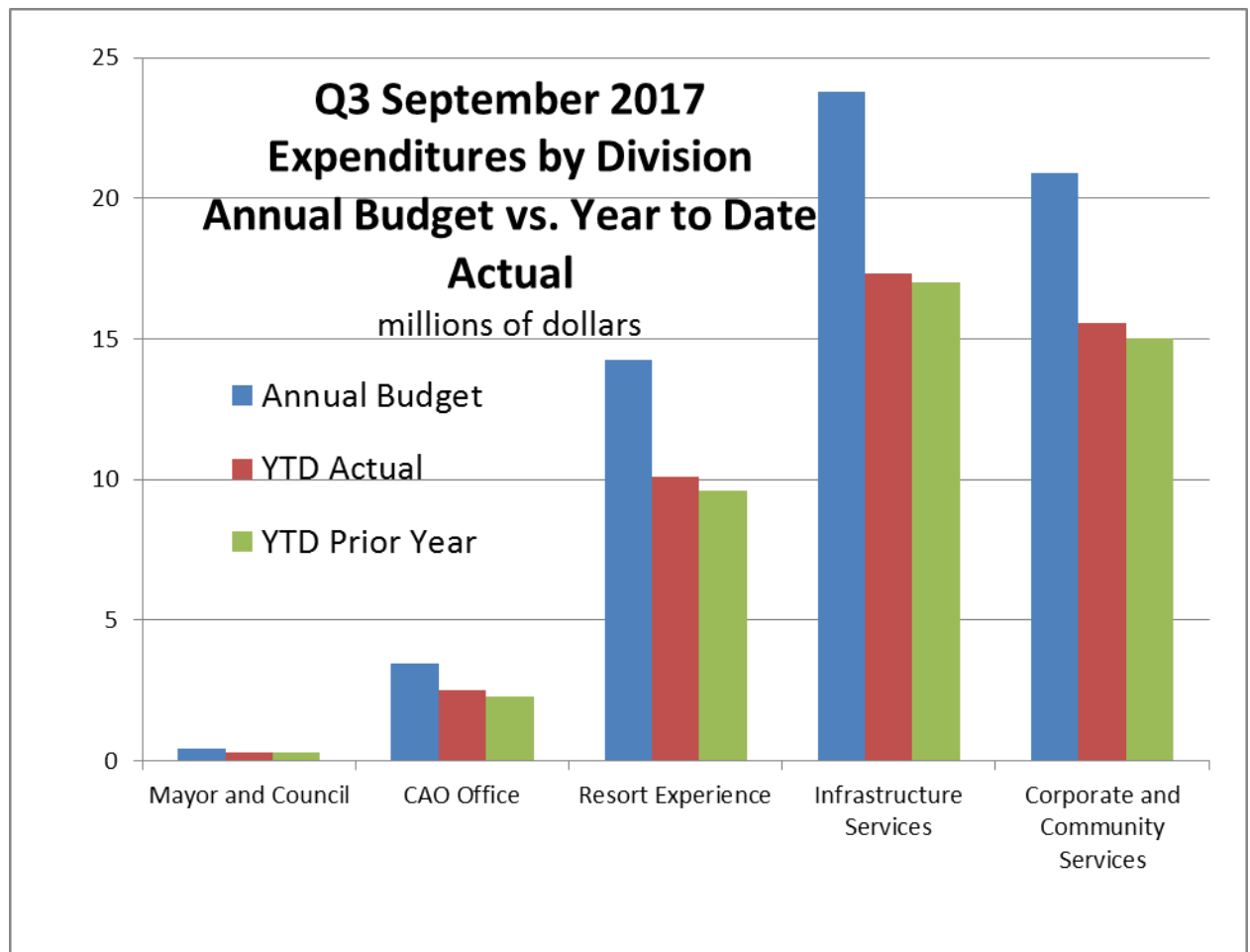
- Year to date increase of \$446,000 or eleven percent over the same period last year.

Resort Municipality Initiative (RMI)

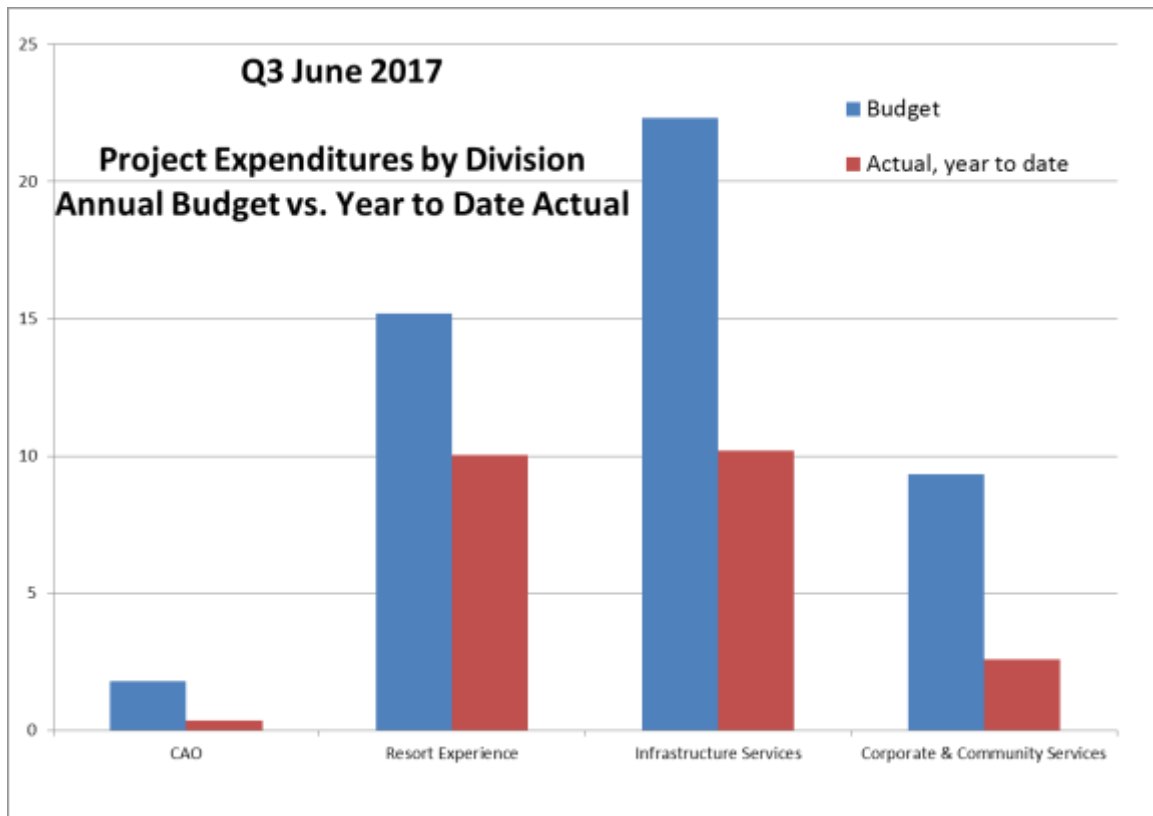
- RMI revenue of more than \$5,000,000 was budget for but was not received as of Q3. All RMI funds for 2017 have subsequently been received.

Permits and Fees

- Revenue from building permits continues to exceed budget and prior year amounts.
- Day lot parking revenues in the current year are greater than budget and prior year amounts.



Total operating expenditures at the end of the third quarter are seventy three percent of annual budget compared to seventy five percent in the prior year. Operating expenditures to the end of the third quarter were \$1.6 million greater compared to the end of the same period in the prior year. Operating revenues and expenditures for individual departments can be found on the Statements of Operational Results.



As of September 30, 2017, actual net project expenditures were forty eight percent of total budgeted expenditure for the year.

A significant amount of project costs are not received until later in the fiscal year, and not all budgeted project activities will necessarily take place during the fiscal year due to unplanned or unforeseen factors. As projects are usually funded from municipal reserves, financial resources not used during the year will remain in the reserves until required and this does not directly impact the operating surplus or deficit for future fiscal planning purposes.

Net expenditures by individual project can be found on the Statements of Net Project Expenditures.

Resort Municipality of Whistler
Summary of Operational Results
For the Quarter ended September 30, 2017, (Unaudited)

	Budget Annual	Actual Year to Date	% Budget	Prior Year Year to Date	Notes
Revenues					
Property Tax	45,876,942	45,703,043	100%	44,545,493	1
User Fees	11,946,335	9,106,163	76%	10,386,451	1
Programs & Admissions	2,013,053	1,640,035	81%	1,487,279	
Permits and Fees	3,406,021	3,656,174	107%	3,197,567	2
Grants Revenue	1,166,000	891,749	76%	913,119	
Transit Fares, Leases and Rent	3,409,395	2,692,488	79%	2,617,550	
Works and Service Revenue	999,823	679,827	68%	938,660	
RMI and MRDT	11,095,035	4,660,526	42%	14,251,730	3
Investment Revenue	1,583,799	1,065,486	67%	2,033,346	4
Other Revenue	1,920,010	1,407,555	73%	1,284,375	
	83,416,413	71,503,045	86%	81,655,571	
Divisional Operating Expenditures					
Mayor and Council	428,728	321,924	75%	308,928	
CAO Office	3,444,191	2,510,021	73%	2,303,794	
Resort Experience	14,237,484	10,100,824	71%	9,594,211	
Infrastructure Services	23,764,393	17,332,471	73%	17,016,622	
Corporate and Community Services	20,896,998	15,569,186	75%	15,025,804	
	62,771,795	45,834,426	73%	44,249,359	
Corporate Expenditures, Debt, Reserves and Transfers					
Wages and Benefits	299,636	289,814	97%	169,848	
Miscellaneous	123,633	122,791	99%	176,439	
External Partner Contributions	4,311,916	2,092,807	49%	2,309,450	5
Long Term Debt	1,380,561	1,436,601	104%	344,224	
Debt Interest	1,354,304	665,781	49%	682,392	
Transfers to Other Funds	17,909,753	688,082	4%	636,038	6
	20,644,618	2,790,464		1,662,654	
Future Expenditures, Transfers, Reserve Contributions	(0)	22,878,156		35,743,558	

See next page for notes

Notes:

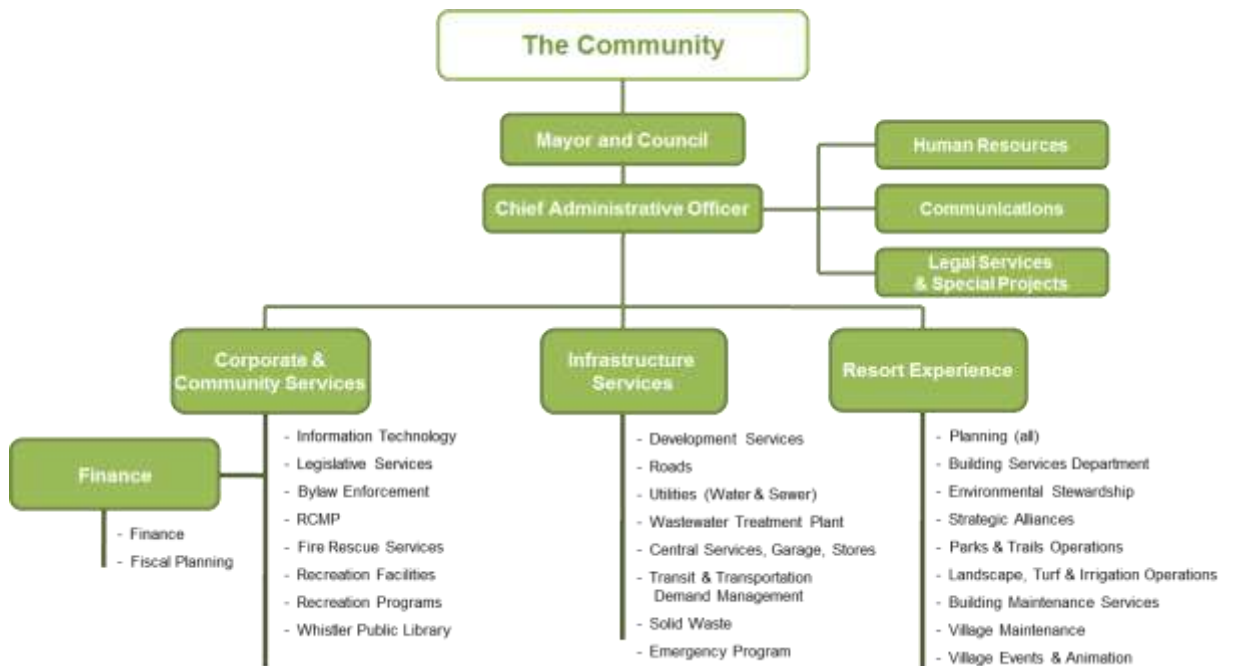
- (1) Virtually all property taxes and a significant portion of user fees for water, sewer and solid waste are billed on the annual property tax notice and accounted for during the month of May.
- (2) Most permit and fee revenue, especially building and parking, is tracking ahead of budget and, all business licence revenue is billed and accounted for at the beginning of the fiscal year.
- (3) As of Sep 30, 2017, MRDT is tracking ahead of budget however all RMI payments had not been received.
- (4) Investment income of the MFA pooled investment fund declined significantly from the prior year.
- (5) External partner expenditures are primarily made up of Municipal and Regional District Tax (MRDT) paid to Tourism Whistler and Community Enrichment Program grants and fee for service agreements.
- (6) Transfers to reserves are mostly accounted for at the end of the fiscal year.

STATEMENTS OF OPERATIONAL RESULTS

Information is categorized by division and reported for each department within the division.

Revenues and expenses are reported separately for each department.

The diagram below illustrates the RMOW's organizational structure.



Resort Municipality Of Whistler
Statement of Operational Results by Department
 For the nine months ended September 30, 2017 (unaudited)

Division 1100 Mayor and Council	Annual Budget	Actuals YTD	% Budget Used to Date	Notes
Mayor & Council				
Revenues	0	0	0%	
Expenses	428,728	321,924	75%	
Total	428,728	321,924		
Mayor and Council Total	428,728	321,924		

Resort Municipality Of Whistler
Statement of Operational Results by Department
 For the nine months ended September 30, 2017 (unaudited)

Division 1200 CAO Office	Annual Budget	Actuals YTD	% Budget Used to Date	Notes
Administrator				
Revenues	0	0	0%	
Expenses	429,261	326,490	76%	
Total	429,261	326,490		
Communications				
Revenues	0	0	0%	
Expenses	538,259	357,083	66%	
Total	538,259	357,083		
Corporate, Economic & Environmental Services				
Revenues	(17,700)	(12,716)	72%	
Expenses	1,615,985	1,192,873	74%	
Total	1,598,285	1,180,157		
Human Resources				
Revenues	0	0	0%	
Expenses	860,686	633,574	74%	
Total	860,686	633,574		
CAO Office Total	3,426,491	2,497,305		

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2017 (unaudited)

Division 5000 Resort Experience	Annual Budget	Actuals YTD	% Budget Used to Date
Cultural Planning and Development			
Revenues	0	(48,000)	0%
Expenses	170,326	129,719	76%
Total	170,326	81,719	
Village Events and Animation			
Revenues	(3,554,923)	(141,016)	4%
Expenses	3,767,679	2,365,058	63%
Project Expenditures	0	0	0%
Total	212,756	2,224,042	
Division Administration			
Revenues	(75,000)	0	0%
Expenses	397,297	306,032	77%
Total	322,297	306,032	
Resort Operations			
Revenues	(2,898,445)	(444,814)	15%
Expenses	7,114,248	5,336,030	75%
Project Expenditures	0	0	0%
Total	4,215,803	4,891,216	
Planning (ALL)			
Revenues	(82,500)	(59,472)	72%
Expenses	1,594,723	1,142,285	72%
Application Fees	(106,000)	(68,303)	64%
Application Costs	105,815	73,361	69%
Total	1,512,038	1,087,871	

.....continued on next page

Resort Experience continued.....

Building Department Services			
Revenues	(854,221)	(1,115,520)	131%
Expenses	1,087,396	748,340	69%
Total	233,175	(367,180)	
Resort Experience Total	6,666,395	8,223,700	

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2017 (unaudited)

Division 6000 Infrastructure Services	Annual Budget	Actuals YTD	% Budget Used to Date	Notes
General Manager				
Revenues	0	0	0%	
Expenses	320,772	280,343	87%	
Total	320,772	280,343		
Development Services/Energy Mgmt				
Revenues	(126,000)	(21,084)	17%	
Expenses	748,161	409,709	55%	
Total	622,161	388,625		
Transportation				
Revenues	0	(2,139)	0%	
Expenses	2,430,579	1,584,624	65%	
Total	2,430,579	1,582,485		
Central Services				
Revenues	(2,855,779)	(1,843,555)	65%	
Expenses	2,284,749	1,557,083	68%	
Total	(571,030)	(286,472)		
Environmental Operations				
Revenues	(2,350,041)	(1,638,723)	70%	1
Expenses	2,332,876	1,618,619	69%	1
Total	(17,165)	(20,104)		

.....continued on next page

Infrastructure Services continued.....

Solid Waste				
Revenues	(6,411,439)	(5,508,704)	86%	
Expenses	5,548,360	4,086,021	74%	
Total	(863,079)	(1,422,684)		
Transit				
Revenues	(3,791,800)	(2,117,312)	56%	4
Expenses	6,627,400	5,053,692	76%	
Total	2,835,600	2,936,380		
Water Fund				
Revenues	(6,738,741)	(6,735,698)	100%	2
Expenses	3,255,623	1,866,969	57%	3
Total	(3,483,118)	(4,868,729)		
Sewer Fund				
Revenues	(7,673,394)	(7,612,591)	99%	2
Expenses	4,796,456	3,043,722	63%	3
Total	(2,876,938)	(4,568,869)		
Infrastructure Services Total	(1,602,219)	(5,979,025)		

Notes:

- 1 All expenditures of the Environmental Operations Department are allocated to the Water and Sewer Funds.
- 2 All or most of these revenues are billed on the annual property tax notice in the second quarter of the fiscal year.
- 3 Budgeted expenditures include administration costs allocated from the operating fund and are not accounted for until the end of the fiscal year.
- 4 A greater proportion of the transit revenues are earned during the first and last quarters of the fiscal year.

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2017 (unaudited)

Division 7000 Corporate and Community Services	Annual Budget	Actuals YTD	% Budget Used to Date	Notes
Finance				
Revenues	(96,860)	(59,726)	62%	
Expenses	1,981,428	1,683,727	85%	1
Project Expenditures	0	0	0%	
Total	1,884,568	1,624,001		
Information Technology				
Revenues	(64,800)	(48,600)	75%	
Expenses	1,515,308	1,244,403	82%	
Project Expenditures	0	0	0%	
Total	1,450,508	1,195,803		
Protective Services				2
Revenues	(2,947,900)	(2,913,067)	99%	3
Expenses	5,852,172	4,157,620	71%	
Grants & Contributions	0	(1,467)	0%	
Project Expenditures	0	1,480	0%	
Total	2,904,272	1,244,565		
Fire Rescue Service				
Revenues	(38,200)	(25,792)	68%	
Expenses	4,475,262	3,257,690	73%	
Project Expenditures	0	0	0%	
Total	4,437,062	3,231,898		
Whistler Public Library				
Revenues	(163,700)	(132,867)	81%	
Expenses	1,156,287	894,368	77%	
Total	992,587	761,501		

.....continued on next page

Corporate and Community Services continued.....

Recreation

Revenues	(1,210,546)	(964,490)	80%
Expenses	2,082,085	1,464,052	70%
Project Expenditures	0	0	0%
Total	871,539	499,562	

Meadow Park Sports Centre

Revenues	(1,768,621)	(1,420,776)	80%
Expenses	3,555,795	2,650,068	75%
Project Expenditures	0	0	0%
Total	1,787,174	1,229,292	

Corporate and Community Services General

Revenues	0	0	0%
Expenses	278,660	215,778	77%
Total	278,660	215,778	

Corporate and Community Services Total	14,606,371	10,002,401	
---	-------------------	-------------------	--

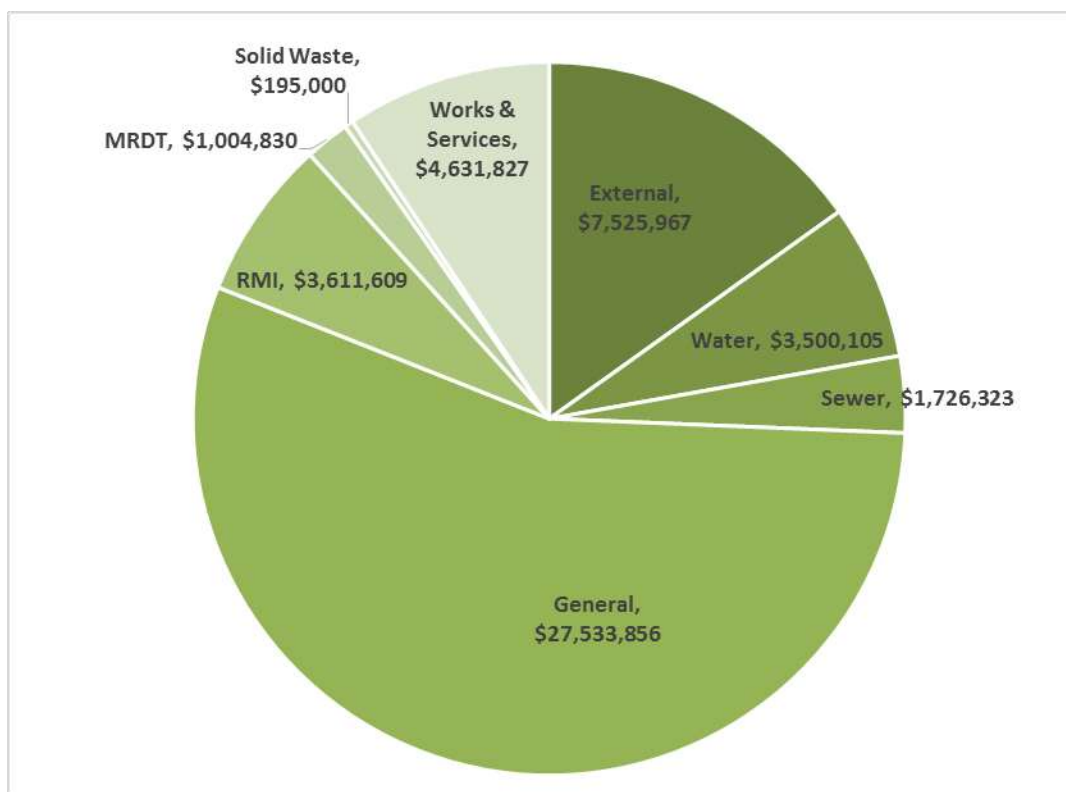
Notes:

- 1 A larger proportion of costs are incurred during the first and second quarters due to external audit and insurance expenditures.
- 2 Protective Services is a new department made up of Bylaw and RCMP.
- 3 Parking revenues have been greater than budget and most business license fee revenue is accounted for during the first quarter of the fiscal year.

STATEMENTS OF NET PROJECT EXPENDITURE

Projects are used to plan and account for transactions that do not take place every year and are most often funded from municipal reserves. Projects can vary in size and carry over many years. At any given time, a division may have several projects in progress. Current policy is to allocate an annual budget to the project based on the work anticipated for the coming year.

For 2017 the budgeted amount to be funded from reserves and external sources is \$49.7 million (including amendments to date). This includes \$6.5 million for purchase of the Parkhurst lands and \$5.0 million of short term financing for WHA projects. The chart below provides a breakdown of funding sources for projects in 2017 and the amount that each will be contributing.



Projects are sorted by division and categorized as follows:

Annual Recurring Projects

Projects that are carried out on a regular, periodic basis but the type and scope of the work may change. Maintenance and reconstruction projects for example.

Continuing Projects

Projects that were planned for a prior year and will continue into the next year.

New Projects

Projects that have a start and end date within the five year financial plan and, are not an annual recurring project.

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2017, (unaudited)

DIVISION 1200	Annual	Actuals	% Budget
CAO Office	Budget	YTD	YTD
Annual Recurring Projects			
Website	105,300	4,889	5%
Corporate Communications	25,000	1,770	7%
Municipal Elections	0	14,049	0%
Collective Bargaining	35,000	5,389	15%
General Improvements - Environment	30,000	11,306	38%
Community Wildfire Protection	814,950	71,467	9%
Bear Management Program	45,000	43,118	96%
Air Quality Management Plan	5,000	2,000	40%
Cheakamus Community Forest	5,000	78	2%
Ecosystem Monitoring Program	25,000	10,969	44%
Continuing Projects			
Home Energy Assessment Rebate	15,000	4,858	32%
Learning and Education Initiatives	75,000	8,333	11%
Spearhead Hut Project Support	150,000	0	0%
Whistler Coat of Arms	8,160	300	4%
REX GIS Project	15,000	5,000	33%
Invasive Species Management	29,000	23,500	81%
New Projects			
Audain Art Museum-Founders Program	25,000	25,000	100%
Large Group & Conference Growth	24,830	21,630	87%
Tourism Research Economic Modelling	15,000	660	4%
Long Term Fiscal Funding Analysis	30,000	4,800	16%
Retail Mix Project	10,000	0	0%
Project Managers Working Group Support	8,000	0	0%
Mayors Task Force on Resident Housing	95,000	49,545	52%
Legacy lands fiscal/legal planning	12,500	0	0%
Records Management	20,000	4,372	22%
2018 UBCM Convention	5,000	5,000	100%
2017 FCM Board of Directors Meeting	28,000	22,937	82%
Comprehensive Fees and Charges Bylaw	5,000	0	0%
Digitization of Bylaws and Archival Materials	7,500	7,051	94%
Emerald Forest Companies - Dissolution	20,000	0	0%
Council Meeting Furniture Repair	30,000	0	0%
Attendance Management Program	10,000	0	0%
Asbestos containing material inventory survey	60,000	11,900	20%
CAO Office Total	1,788,240	359,920	

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2017, (unaudited)

DIVISION 5000	Annual	Actuals	% Budget
Resort Experience	Budget	YTD	YTD

Annual Recurring Projects

Olympic Plaza Enhancements	85,000	8,583	10%
Conference Centre Annual Building Reinvest	150,000	0	0%
Village Enhancement	150,000	110,796	74%
Parks Accessibility Program	25,000	0	0%
Valley Trail Reconstruction	205,000	75,194	37%
Annual Building Maintenance	50,000	36,674	73%
Recreation Trail Program	80,000	29,853	37%
Park Operations General Improvement	200,000	72,007	36%
Building Asset Replacement Program	200,000	66,190	33%
WVLC Parkade Rehabilitation Program	1,745,780	1,143,675	66%
Annual Electrical Maintenance	65,000	19,493	30%

Continuing Projects

Recreation Leisure Master Plan	0	0	0%
Village Square & Mall Rejuvenation - Way-fi	1,602,606	561,699	35%
Building Department File Scanning	109,000	3,117	3%
Cultural Connector	600,000	332,808	55%
Bayly Park Improvements	150,000	101,318	68%
Alpine Trail Program	300,000	141,632	47%
Municipal Hall Continuing Improvements	182,000	114,434	63%
Former Hostel Site Improvements	55,000	27,150	49%
Train Wreck Pedestrian Bridge	24,500	20,242	83%

.....continued on next page

Resort Experience continued.....

New Projects

Conference Centre Special Projects	370,000	4,380	1%
WOPL Washroom Building	50,000	0	0%
Valley Trail Cycling Review	65,000	0	0%
Artificial Turf Field	160,000	63,710	40%
Municipal Parks and Trails Standards Update	20,000	0	0%
Maury Young Arts Centre External Signage	35,000	0	0%
Planning Initiatives	165,000	63,701	39%
Village 3.0 / Other Initiatives	150,000	260	0%
Public Works Yard Mechanics Shop HVAC	125,000	58,730	47%
Seismic and emergency power review	134,920	0	0%
PWY reception, accessible washroom & lunch	35,000	21,036	60%
Building Systems Management review	115,000	0	0%
Breezeway Heat Trace repair	50,000	32,530	65%
Warming Hut Retaining Wall	75,000	0	0%
Tennis Court Reconstruction	50,000	1,034	2%
Park and Trail Asbuilt Surveys	25,000	0	0%
Nesters Crossing to Myrtle Phillips Valley T	6,000	65	1%
Parkwood Valley Trail	100,000	59,302	59%
Fitzsimmons Bike Park	200,000	182,199	91%
Park and Trail Sign Implementation	100,000	12,850	13%
Cheakamus Crossing Light Replacement Proj	56,000	212	0%
Lighting controls	27,500	3,235	12%
MY Arts Centre building improvements	75,000	9,460	13%
RCMP detachment spatial needs analysis	7,000	0	0%
Access Control Upgrades	25,000	762	3%
Oboe Room Upgrades	24,000	0	0%
Library improvements	90,000	13,795	15%
Rainbow Park Holding Tank Expansion	50,000	50,534	101%
Alpha Lake Washroom Shower	10,000	0	0%
Public Safety Building HVAC replacement	205,000	0	0%
PWY worker safety and yard configuration pl	20,000	0	0%
Lakeside Park Sewer repair	35,000	29,239	84%
Meadow Park Washroom water service repa	25,000	43,439	174%
Cenotaph Relocation	30,000	1,000	3%
Resort Experience Total	8,689,306	3,516,338	

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2017, (unaudited)

DIVISION 6000	Annual	Actuals	% Budget
Infrastructure Services	Budget	YTD	YTD

Annual Recurring Projects

Water Annual Reconstruction	226,200	588,475	260%
Sewer Annual Reconstruction	794,823	99,640	13%
WWTP Annual Reconstruction	272,000	116,420	43%
Reservoir Upgrades	50,000	19,640	39%
Fire Hydrant Maintenance	100,000	42,336	42%
Benchmarking Water and Sewer	19,000	0	0%
Reservoir Cleaning	100,000	7,838	8%
Solid Waste Annual Reconstruction	250,000	28,391	11%
LWMP Review	5,000	0	0%
Critical Water/Sewer Infrastructure Flood Pro	75,000	0	0%
Water Conservation Program	79,383	(650)	-1%
Annual Reconstruction - Roads	1,650,000	1,140,051	69%
Fitz Creek Gravel Removal	350,000	317,104	91%
Fleet Replacement	2,530,000	311,343	12%
Central Services Annual Reconstruct	32,000	14,398	45%

Continuing Projects

Olympic Reservoir Reconstruction	175,000	77,214	44%
Major Water Infrastructure Renewal Program	1,105,000	1,102,172	100%
Cross Connection Prevention Program	30,000	0	0%
Spring Creek Booster Station	100,000	0	0%
Annual Groundwater Monitoring	29,000	14,457	50%
WWTP Primary Bldg Retrofits	225,000	58,511	26%
Alpine Reservoir Level Control	36,000	57,622	160%
Demolish Abandoned Water Infrastructure	331,000	41,913	13%
SCADA HMI, Site Telemetry & Alarms	265,000	21,086	8%
Emerald Water Quality Upgrades	2,091,987	221,288	11%
New Nesters Waste Depot Site	1,645,000	771,400	47%
Fitz Creek Debris Barrier & Sediment Basin	35,000	10,249	29%
Flood Plain Mapping	175,000	0	0%
Bus Shelter Replacements	44,700	24,740	55%

.....continued on next page

Infrastructure Services continued.....

New Projects

New 21 Mile Aquifer Supply Well and Pump	240,000	105,557	44%
Gateway Loop Reconstruction	6,790,032	4,341,434	64%
21 Mile Creek Source Water Protection Project	17,200	6,532	38%
Water sustainability Act Compliance	45,000	10,678	24%
DES Energy Efficiency Study	10,000	2,813	28%
Development Services Renovations	4,400	0	0%
Solid Waste Outreach Program	60,000	20,589	34%
Primary Sedimentation Tank 1 & 2 Refurbishment	0	2,000	0%
Primary Tank Flow Equalization	80,000	192,371	240%
Secondary Clarifier Tank 403 Refurbishment	60,000	0	0%
Compost Heat System Repairs	135,000	5,175	4%
Secondary RAS Control Optimization	110,000	8,122	7%
Van West Water System	50,000	0	0%
LED Streetlight Replacement	320,000	208,232	65%
Tapley's Flood Protection Improvements	183,000	4,409	2%
Traffic Studies to support reactivation of TAC	100,000	166,439	166%
Traffic Light Replacement	60,000	0	0%
Daylot Storm water Monitoring	25,000	4,276	17%
Day Parking Lot Upgrades and Maintenance	1,200,000	23,953	2%
Infrastructure Services Total	22,310,725	10,188,215	

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2017, (unaudited)

DIVISION 7000	Annual	Actuals	% Budget
Corporate and Community Services	Budget	YTD	YTD
Annual Recurring Projects			
Computer Systems Replacement	239,000	102,279	43%
Library Furniture and Equipment	58,500	20,808	36%
Library Collection	119,200	95,851	80%
Recreation Equipment	188,111	22,576	12%
Recreation Infrastructure Replacement	937,009	448,030	48%
Recreation Accessibility Upgrades	29,000	0	0%
Whistler Olympic Plaza Ice Rink	45,000	3,544	8%
Firefighting Equipment Replacement	56,100	22,380	40%
Fire Smart Neighbourhood Program	100,000	45,539	46%
Project Fires Record Management System	15,000	3,704	25%
Continuing Projects			
Customer Service Strategy (Civic Platform)	791,500	252,929	32%
Reserve Policy Planning	20,000	800	4%
Park Ranger Proof of Concept	13,501	13,173	98%
Local Infrastructure & Server Room	355,000	102,066	29%
Corporate Software	317,000	39,635	13%
New Projects			
Sea to Sky Corridor Evacuation Transportati	15,000	0	0%
Bylaw Revisions	20,000	1,854	9%
Day Lot 3 G Modems	10,009	10,047	100%
Parking Meter upgrades	9,792	0	0%
Street Parking 3 G modems	11,227	9,870	88%
PCI Compliance	4,500	0	0%
Procurement Policy Review and Template D	20,000	0	0%
Parking Lease Review	10,000	0	0%
First Nations Cultural Liaison	15,000	0	0%
Illegal Nightly Enforcement	100,000	5,926	6%
Council Software Solution	32,000	0	0%
Library 2018-21 Strategic Plan	5,000	4,525	90%
Library Quiet/DLC Space Assessment	10,000	0	0%
MPSC Valley Trail Extension	289,286	495,316	171%
Technical Rescue Program	10,560	506	5%
Fire Hall Infrastructure Improvements	0	22,800	0%
Live Fire training prop	15,000	10,138	68%
Sea to Sky Road Closure Protocol	35,000	33,400	95%
Protective Services events and communicati	30,000	20,869	70%
Forestry Pick Up Equipment	20,000	0	0%
Whistler Fire Rescue Service Change Manag	15,000	15,000	100%
Corporate and Community Services Total	3,961,295	1,803,565	

Notes

- (1) Additional costs incurred due to water main replacement needs. These costs will be reallocated to infrastructure projects. Grant revenue of approximately \$87,000 has not been received as of Sep 30, 2017. Project is expected to be relatively on budget after the grant has been received and reallocations posted.

INVESTMENTS

Investment holdings of the Municipality at September 30, 2017, had a market value of \$ 109,496,001 (2016 - \$ 100,168,152). A list of investment holdings and yields is provided below.

The Municipality holds investment balances in order to earn investment income on cash that is not currently required for operations, projects or capital purposes. Cash held for capital purposes often makes up the largest portion of the investment holdings, as it is savings accumulated over time and will not be expended until years in the future. Operating cash balances also exist, particularly in June and July when most property tax payments are received by the Municipality. Conversely investment holdings are often at their lowest in the months just prior to the property tax collection date.

Investment income, including changes in market values, for the nine months ended September 30, 2017 was \$1,068,486 (unaudited). This is sixty seven percent of the total budgeted investment income for the year. Future investment income is dependent upon the market conditions at the time. Most investment income is allocated to reserves to fund future expenditures with the remainder is allocated to operations throughout the year.

Resort Municipality of Whistler Investment Holdings and Yields As at September 30, 2017

Investment	Yield	Amount	Maturity
<i>BlueShore Financial</i>			
Term Deposit	1.27%	3,000,000	2-Oct-17
Term Deposit	1.37%	3,500,000	1-Nov-17
Term Deposit	1.41%	3,500,000	1-Dec-17
Term Deposit	1.45%	3,000,000	1-Jan-18
Term Deposit	1.51%	3,000,000	1-Feb-18
Term Deposit	1.60%	3,000,000	1-Mar-18
Term Deposit	1.68%	3,000,000	2-Apr-18
Term Deposit	1.78%	3,000,000	1-May-18
Term Deposit	1.85%	3,000,000	1-Jun-18
<i>Raymond James</i>			
Term Deposit	1.45%	6,000,000	20-Jul-18
Term Deposit	2.00%	2,000,000	1-Aug-18
<i>Municipal Finance Authority</i>			
Short Term Bond Fund	0.71%	21,749,462	NA

RBC Dominion Securities

Quantity	Security Description	Book Value	Market Value	Yield to Maturity
CAD Accounts (in CAD)				
FIXED INCOME				
Canada				
Provincial/State				
3,436,032	CPN PROVINCE OF NOVA SCOTIA BOOK ENTRY ONLY DUE 06/01/2022	3,000,000	3,057,484	2.52
3,187,000	CPN PROVINCE OF MANITOBA BOOK ENTRY ONLY DUE 03/05/2024	2,731,259	2,660,699	2.83
Total - Provincial/State		5,731,259	5,718,183	
Corporate				
3,421,923	RES TORONTO DOMINION BANK ENT NON GEN PRIN CYC 5X8 NVCC CALLABLE 9/30/2020 DUE 09/30/2020	3,000,000	3,146,937	2.81
3,379,139	RES BANK OF NOVA SCOTIA BOOK-ENTRY PRIN NVCC CALLABLE 12/8/2020 DUE 12/08/2020	3,000,000	3,082,484	2.90
2,420,626	RES BANK OF MONTREAL PRIN CYC CC62026 DUE 06/01/2021	2,150,000	2,169,825	3.00
3,000,000	BANK OF NOVA SCOTIA SR UNSEC DEP NTS DUE 12/02/2021 1.90000%	2,974,500	2,959,034	2.40
2,000,000	NATIONAL BANK OF CANADA DUE 03/18/2022 2.10500%	1,998,000	1,973,249	2.44
3,000,000	ROYAL BANK OF CANADA SR UNSECURED SERIES DPNT DUE 03/21/2022 2.00000%	2,979,000	2,943,445	2.46
1,520,000	WELLS FARGO & CO DUE 05/19/2026 2.97500%	1,489,600	1,480,834	3.47
Total - Corporate		17,591,100	17,755,808	
Bank Certificates/Deposits				
3,000,000	TANGERINE BANK GIC - ANNUAL DUE 07/16/2018 2.45000%	3,000,000	3,015,103	2.44
2,500,000	ROYAL BANK OF CANADA GIC - ANNUAL DUE 09/24/2018 2.45000%	2,500,000	2,501,175	2.45
4,000,000	NATL BANK OF CANADA GIC - ANNUAL DUE 01/07/2019 2.90000%	4,000,000	4,084,219	2.89
3,000,000	TANGERINE BANK GIC - ANNUAL DUE 07/16/2019 2.70000%	3,000,000	3,016,644	2.70
2,500,000	NATL BANK OF CANADA GIC - ANNUAL DUE 09/23/2019 2.70000%	2,500,000	2,501,295	2.70
2,500,000	HSBC BANK CANADA GIC - ANNUAL DUE 10/17/2019 2.55000%	2,500,000	2,560,606	2.55
2,500,000	TANGERINE BANK GIC - ANNUAL DUE 10/22/2019 2.60000%	2,500,000	2,560,904	2.60
2,000,000	HSBC BANK CANADA GIC - ANNUAL DUE 07/23/2020 2.15000%	2,000,000	2,008,011	2.15
3,000,000	NATL BANK OF CANADA GIC - ANNUAL DUE 07/23/2020 2.20000%	3,000,000	3,012,296	2.20
3,000,000	TANGERINE BANK GIC - ANNUAL DUE 07/23/2020 2.20000%	3,000,000	3,012,296	2.20
Total - Bank Certificates/Deposits		28,000,000	28,272,548	



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 9, 2018
FROM: Resort Experience
SUBJECT: ZONING AMENDMENT BYLAW (CANNABIS RETAIL, PRODUCTION AND DISTRIBUTION) NO. 2159, 2017

REPORT: 18-004
FILE: RZ1140

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving first and second readings to “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”; and

That Council authorize staff to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”.

REFERENCES

Appendix “A” – Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017.

Appendix “B” – RMOW response to request for written submissions on the provincial regulatory framework for the legalization of recreational cannabis.

PURPOSE OF REPORT

This Report presents “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”, the first in what is likely a series of bylaws to be brought forward prior to the federal legalization of “recreational” Cannabis in July of 2018. Currently, retailing cannabis is prohibited under federal legislation and “Zoning and Parking Bylaw No. 303, 2015” (the Zoning Bylaw). The Zoning Bylaw limits cannabis production and distribution to a single site in Function Junction. Bylaw No. 2159 will amend the Zoning Bylaw to maintain the status quo for cannabis production, distribution and retail in Whistler; creating a “secure position” from which the Resort Municipality of Whistler (RMOW) can consider how recreational cannabis is introduced into the community. This Report also requests that Council authorize staff to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017”.

DISCUSSION

Background

In June of 2013, the Government of Canada implemented the *Marihuana for Medical Purposes Program* (MMPR), a new licensing system that permitted federally-approved commercial operations to produce and distribute medicinal cannabis. This was a change from the longstanding *Marihuana Medical Access Regulations* (MMAR) which provided patients with a number of options to grow their own medicinal cannabis. Unlike the MMAR, the new MMPR allowed only federally-licensed

commercial operations to produce and distribute medicinal cannabis. Under the MMPR, retailing cannabis was still prohibited; producers could only ship directly to pharmacies, doctors or patients via courier or Canada Post. The effect of the MMPR was a new demand for commercial cannabis production and distribution facilities and the introduction of a new commercial land use that municipalities could regulate through zoning.

During implementation of the MMPR in 2013, Whistler Medical Marihuana Corporation notified the RMOW of their intention to pursue a commercial medical cannabis license at 113 -1330 Alpha Lake Road in Function Junction. Council directed staff to prepare a zoning bylaw amendment to regulate activities related to the research, development, production and distribution of medicinal cannabis. Since retailing cannabis was still illegal in Canada, there was technically no need to specifically address this issue in the zoning amendment.

In 2014, the RMOW adopted “Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014” to limit the production and distribution of cannabis for medical purposes to Whistler Medical Marihuana Corporation’s facility. Whistler Medical Marihuana Corporation subsequently became a licensed producer of medicinal cannabis from Health Canada and has been operating since March of 2014.

In 2016, the MMPR was replaced with the *Access to Cannabis for Medical Purposes Regulations* (ACMPR) which is essentially a combination of the MMPR and MMAR. In addition to being able to buy medicinal cannabis from licensed producers, patients once again have a number of options to grow their own medicinal cannabis.

On April 13, 2017, the Government of Canada introduced the *Cannabis Act* which will make cannabis legal for adult use, with or without a prescription. The *Cannabis Act* also allows the sale of recreational cannabis to adults and production of recreational cannabis, including home cultivation of up to four plants either indoors or outdoors. The ACMPR system regulating medicinal cannabis will remain in force and provinces have the power to further regulate recreational cannabis.

Decriminalizing cannabis is only the first step in regulating a legal recreational cannabis industry. Each level of government must determine its own rules within their respective scope of authority. With the *Cannabis Act* expected to come into force in July 2018, governments at all levels have been scrambling to create a regulatory structure for recreational cannabis.

Generally speaking, federal, provincial, and municipal powers to regulate recreational cannabis can be broken down as follows:

- The federal government sets criminal laws (e.g. impaired driving, trafficking) and “baseline” home cultivation, production, possession and purchase laws (e.g. the four plant limit for home cultivation). These must be followed throughout Canada and cannot be supplanted with more lenient municipal or provincial rules. However, stricter provincial or municipal rules in some of these areas may be possible.
- Provinces can control the supply and distribution of cannabis within their borders. This can include prohibiting or restricting home cultivation, and monopolizing production, distribution or retail—i.e. making the province or its agents the sole supplier of recreational cannabis. The provinces can also create additional rules related to use and possession of recreational cannabis such as youth possession rules, stricter personal possession limits, public smoking rules and drug-impaired driving rules.
- Municipalities are expected to be able to regulate cannabis within their scope of authority, such as through zoning and anti-smoking bylaws. However, the Province has the ability to

expand or restrict these powers, to impose requirements on municipalities (e.g. requiring municipalities to license and inspect home cultivation), or to simply render municipal regulations unnecessary (e.g. prohibiting home cultivation thereby obviating municipal regulations). Additionally, the Province can exempt itself from municipal land use regulations, such as by exempting provincially operated distribution and retail facilities from municipal zoning bylaws.

Naturally, provincial and federal cannabis rules will define the scope of rules that the RMOW can or should enact. Although little is yet known what the regulatory environment for land uses like home cultivation and cannabis lounges will look like in B.C. (or if these uses will even be allowed), recent federal and provincial announcements provide some insight as to how the production, distribution and retail environment for recreational cannabis will operate.

In November of 2017, the federal government released a discussion paper on its proposed regulations for cannabis producers. The proposed regulatory framework is extensive and complex but appears to propose no limits on the number of producers in Canada, allowing “craft” producers, and allowing producers with existing ACMPR licenses (which would include Whistler Medicinal Marijuana Corporation) to expand into the recreational cannabis market. The proposed rules also appear to place no limits on the types of licenses a producer can hold and contemplate producers being able to obtain both a retail license and production license for the same facility.

On December 5, 2017, the Province released a statement suggesting the framework for cannabis retail and distribution would be similar to how alcohol is sold and distributed in B.C. The Province has stated it will control cannabis distribution through the Liquor Distribution Branch and that it anticipates a public/private retail model that includes both government run and private sector retailers that will sell cannabis to consumers. At time of writing, there is no draft legislation available for review and no further details related to this regulatory regime have been provided. The Province is expected to provide more information early this year.

Although the framework for production, distribution and retail of recreational cannabis is still in a state of flux, it appears that the probable makeup of this system in B.C can be described as follows:

- There will be variety of private sector producers in B.C. Some of these producers may transition or expand from producing medicinal cannabis to producing recreational cannabis. Producers may or may not be allowed to retail cannabis in a manner similar to how craft breweries retail alcohol.
- The Province will hold a monopoly on recreational cannabis distribution in B.C. through the Liquor Distribution Branch. Provincial distribution facilities may or may not be subject to municipal zoning. There is no indication that such a facility is proposed for Whistler.
- Private-sector retailers will be permitted in B.C. and will likely be subject to municipal zoning.
- The Province will also be a retailer of recreational cannabis and may or may not be subject to municipal zoning.

Whistler’s existing zoning rules for production, distribution and retail rely on the federal legislative framework that predates the *Cannabis Act*. Subsequently, they do not reflect the probable aspects of the new recreational cannabis industry noted above. Staff now have sufficient information to bring forward zoning amendments which will ensure that the current zoning framework for cannabis remains enforceable and relevant. It is recognized that future bylaw changes may be required as the framework for cannabis in B.C. unfolds, specifically with regard to aspects of the recreational cannabis industry that the Province has yet to permit and regulate (e.g. cannabis lounges, and home-cultivation). With the federal/provincial regulation process unfolding quickly to meet the July 2018 deadline, this incremental (and somewhat reactive) approach is warranted.

Proposed Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017

The *Cannabis Act* will remove cannabis as a prohibited substance from Schedule 2 of the *Controlled Drugs and Substances Act* (CDSA) and subsequently enacted provincial legislation will legalize cannabis retail in BC. The RMOW's Zoning Bylaw currently references Schedule 2 of the CDSA to define "marihuana production" and "marihuana distribution" and these terms were defined and used to describe these activities under the MMPR/ACMPR system, which prohibited cannabis retail, allowing only the "mail order" distribution system described earlier in this Report. The Zoning Bylaw contains a general prohibition on production and distribution of cannabis in Part 4 and the Whistler Medical Marihuana Corporation site is the only site authorized for production and distribution through a provision in the Light Industrial Two (IL2) zone. The existing zoning rules do not specifically speak to retail, nor do they reflect the new distribution model that the Province will be implementing.

The proposed amendments would replace the existing definitions of "marihuana production" and "marihuana distribution" with a definition of "cannabis" which mirrors the definition in the *Cannabis Act*. The proposed Bylaw will expand the existing general prohibition on cannabis production and distribution to also prohibit retailing cannabis anywhere in the RMOW. The site-specific regulation found in the IL2 zone allowing the Whistler Medical Marihuana Corporation to produce and distribute cannabis will be updated to reflect these changes, however, retail will not be permitted on this site or anywhere else in Whistler. Additionally, cannabis distribution from this facility will be limited to shipping cannabis produced on site. The new bylaw regulations do not distinguish between recreational cannabis and medicinal cannabis; meaning the rules for each are the same.

The net effect of the proposed Bylaw will be continuity of existing cannabis regulations in Whistler, i.e. retail will remain prohibited and production and distribution will remain limited to a single site in Function Junction. Whistler Medical Marihuana Corporation's current operating model will be permitted under the new zoning rules, regardless of whether they produce medicinal cannabis or obtain additional federal and provincial licenses to produce recreational cannabis.

It should be noted that should the Province elect to exempt its own retail and distribution facilities from municipal bylaws, these new zoning regulations will not apply to provincially run facilities. The RMOW's written submission on the provincial regulatory framework (Appendix "B"), advocates for provincial facilities to comply with municipal zoning requirements. Staff intend to continue to make this position clear in any future discussions with the Province.

As noted above, staff intend to re-examine these rules once the full scope of the provincial and federal regulatory framework for recreational cannabis is revealed and bring forward additional bylaw amendments as warranted.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Energy	Energy is generated, distributed and used efficiently, through market transformation, design and appropriate end uses.	Cannabis production is an energy intensive process. Production will continue to be limited to a single site, which will in turn limit energy demands for cannabis production.
Health and Social	Whistler organizations and stakeholders work together to meet the health and	The amendments are not expected to limit access to medicinal cannabis.

	social needs of community members and visitors.	
Health and Social	Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness and they avoid the abusive use of substances that evidence indicates have negative effects on physical and mental health.	The proposed amendments will provide time for the RMOW to carefully consider if and how to introduce recreational cannabis in Whistler.

The compilation and dissemination of the attached report does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

A review of the relevant objectives and policies of the Official Community Plan is described in the table below.

Objective/Policy	Comments
Objective 3.1.2 – Optimize the use and function of existing and approved development.	The proposed amendments allow Whistler's only existing cannabis production facility to transition from producing medicinal to producing recreational cannabis. This will help meet the demands of the new recreational cannabis industry with existing facilities.
Policy 3.1.1.2 – Contain Whistler urban development within the boundary of the Whistler Urban Development Containment Area.	The property where cannabis production is permitted is within the boundary of the Whistler Urban Development Containment Area.
Policy 3.1.2.1 – Support flexibility, diversity, adaptability and efficiency in land use and development so the resort community can derive the greatest benefit from existing development.	The rezoning supports this policy by providing increased clarity around the permitted uses for cannabis production and distribution.
Objective 3.2.1 – Reinforce Whistler's mountain resort character, compact development pattern, social fabric, economic viability and diversity.	The proposed bylaw amendments allow time to consider both the potential negative and potential positive impacts of a recreational cannabis industry on Whistler's mountain culture and resort economy.
Policy 3.2.1.4 – Support land uses and development that contribute to a diversified tourism economy compatible with Whistler's resort character and values.	By limiting cannabis production and distribution to the existing facility in Function Junction, the community's current needs for this product can be met while the impact on tourism/resort-focused land uses is considered.
Objective 4.9.4 – Reinforce Function Junction as Whistler's general purpose business district and "Back-of-House" area for the resort community.	Function Junction is an appropriate location for cannabis production as this neighbourhood is designed to host industrial uses and is a discrete "back-of-house" location.
Policy 4.9.4.1 – Review and rationalize zoning designations to provide flexibility and compatibility for a wide range of uses appropriately located in Function Junction.	Allowing for the existing cannabis production facility provides for flexibility in the IL2 zone and is compatible with similar warehouse/light industrial uses.

Policy 8.4.1.3 – Lead a community-wide effort to reduce total energy consumption to a level 10% below 2007 levels by 2020.	Cannabis production is an energy intensive process. Production will continue to be limited to a single site, which will in turn limit community energy consumption.
---	---

BUDGET CONSIDERATIONS

As the RMOW is initiating this zoning amendment, rezoning application and processing fees do not apply. All costs associated with staff time for the rezoning application will be covered within existing staff budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

Prior to approval a Public Hearing must be held for “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017” and statutory public notice requirements must be met.

SUMMARY

This Report presents “Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017” that updates existing Zoning Bylaw restrictions regulating the production, distribution and retail of cannabis in anticipation of the expected legalization of cannabis in July of 2018. These amendments are intended to maintain the status quo for the production and sale of cannabis in Whistler; providing time for the RMOW to monitor the development of provincial and federal regulations and to determine if and how this industry will be introduced in Whistler once the full scope of the provincial/federal regulatory framework has been revealed. Staff intend to monitor the progress of this process and bring forward further Bylaw amendments at a later date. Staff recommend that the proposed bylaw be given first and second readings and proceed to Public Hearing.

Respectfully submitted,

Jake Belobaba
SENIOR PLANNER

and

Brook McCrady
PLANNING ANALYST

for

Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

RESORT MUNICIPALITY OF WHISTLER

**ZONING AMENDMENT BYLAW (CANNABIS RETAIL, PRODUCTION AND DISTRIBUTION) NO. 2159,
2017**

**A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER “ZONING AND PARKING
BYLAW NO. 303, 2015”**

WHEREAS the Council may in a zoning bylaw pursuant to the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, and regulate the use of land, buildings and structures within the zones;

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

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Cannabis Production and Distribution) No. 2159, 2017”.

2. “Zoning and Parking Bylaw No. 303, 2015” is amended:

(a) In subsection (1) of “Part 2, Interpretation”, by deleting the definition of “marihuana production” and “marihuana distribution”, and inserting the following new definition in the appropriate alphabetic order:

“cannabis” means a cannabis plant including:

- (1) Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (2) Any substance or mixture of substances that contains or has on it any part of such a plant; and
- (3) Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

but does not include:

- (1) A non-viable seed of a cannabis plant;
- (2) A mature stalk, without any leaf, flower, seed or branch, of such a plant;
- (3) Fibre derived from a stalk referred to in item 2; and
- (4) The root or any part of the root of such a plant.

(b) In “Part 4, General Prohibitions”, by replacing subsection 1. (8) with the following text:

“No person shall use any land or building for the retail sale of cannabis, and except as specifically permitted by this Bylaw no person shall use any land or building for the production or distribution of cannabis.”

and;

(c) By replacing subsection 2. (2)(t) of “Part 10, Industrial Zones” with the following:

“on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, production and distribution of cannabis, but only to the extent authorized by a federal licence if a federal licence is required, and provided that: the total floor area used for all such uses shall not exceed 900 square

Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017

metres; the distribution of cannabis is limited to cannabis produced on the premises; and the retail sale of cannabis is prohibited.”

GIVEN FIRST and SECOND READING this ___ day of _____, 2018.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this ___ day of _____, 2018.

GIVEN THIRD READING this ___ day of _____, 2018

Approved by the Minister of Transportation and Infrastructure this ___ day of _____, 2018.

ADOPTED by the Council this ___ day of _____, 2018.

Nancy Wilhelm-Morden,
Mayor

Brooke Browning,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of
“Zoning Amendment Bylaw (Cannabis Retail,
Production and Distribution) No. 2159, 2017”

Brooke Browning,
Municipal Clerk



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, BC Canada V0N 1B4
www.whistler.ca

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

Attn: Cannabis Legalization and Regulation Secretariat
Ministry of Public Safety and Solicitor General
PO Box 9285, Stn Prov Govt
Victoria BC V8W 9J7
Via email: cannabis.secretariat@gov.bc.ca

November 1, 2018
File: 4912

Dear Minister Farnworth

On behalf of the Resort Municipality of Whistler (RMOW), I thank you for the opportunity to provide feedback on the legalization and regulation of recreational cannabis in BC. The response herein provides initial comments on each of the issues noted in the Ministry's discussion paper. Our comments also seek to highlight and distinguish between those items that we believe should be the responsibility of federal and provincial levels of government, and those that should remain subject to local government or other authorities. Additionally, in cases where the Province may elect to play a direct role in the recreational cannabis market—specifically retail and distribution—our response stresses the importance of ensuring municipal bylaws and policies (e.g. zoning and business regulations) will not be overridden. We note there was a limited timeframe for submitting these initial comments. However, we understand that there will be ongoing opportunities to provide input, including through the Joint Provincial-Local Government Committee on Cannabis Regulation.

As BC's largest resort municipality, with over 3 million visitors per year, the overall experience provided to our visitors is critical to our resort economy and Whistler's economic contributions to the Province. Determining if and how cannabis consumption businesses, retail, production and distribution are introduced in the resort community and how cannabis will be used is critical to maintaining the Whistler experience. Similarly, revenue-sharing mechanisms must be part of any provincial government regulation and taxation program to ensure that Whistler has the resources to continue to provide a world-class resort experience where recreational cannabis is legal for Whistler's residents and visitors.

Minimum Age

The RMOW supports aligning the minimum age for recreational cannabis purchase, possession and use with the minimum age for alcohol (19 years). As a community with a higher than average proportion young people, the RMOW is concerned about the risks of cannabis use on youth. However, misaligned age restrictions for alcohol and cannabis will simply cause youth to obtain cannabis from the illicit market. Robust public education and mental health campaigns are the best approaches to mitigating the harms of cannabis on youth. These education programs and enforcing age restrictions for cannabis should be the responsibility of the Province.

Personal Possession-Adults

For the sake of consistency, the RMOW recommends setting personal possession limits that are identical to federally established limits. Stricter personal possession limits are likely to be difficult to enforce, may be confusing for people visiting from outside BC and are less likely to be as effective at



mitigating harms of use as other tools. Enforcing personal possession limits should be the responsibility of the federal government or the Province.

Personal Possession-Youths

The RMOW supports a prohibition on youth possession and use, similar to existing regulations for alcohol, provided these regulations have an educational focus and do not “criminalize” youth. These laws should be complimented with youth-focused public education efforts that educate youth on the harms of underage cannabis use. These education programs and enforcing youth possession regulations should be the responsibility of the Province.

Public Consumption

The RMOW supports extending existing provincial restrictions prohibiting tobacco smoking and vaping in certain areas to cannabis. However, the RMOW also recommends a general prohibition on any public consumption of cannabis with regulations that allow municipalities to designate areas where public consumption is permitted. These regulations could be similar to existing rules in [section 73 of the *Liquor Control and Licensing Act*](#). We note that while similarities exist between tobacco and cannabis use—cannabis is also an intoxicant and in the context of public consumption, rules for cannabis should not only align with rules for tobacco, but also with rules for alcohol. With regard to enforcing provincial public consumption laws, the RMOW expects that the Province will develop and implement an enforcement framework and funding model for this.

A more fulsome understanding of the impacts of licensed designated consumption areas (e.g. cannabis lounges)—specifically the potential nuisances and health impacts on workers, customers, and neighbours—is required to inform an effective regulatory framework. If the Province elects to legalize these types of businesses, any type of licensing program for these businesses should fall to the Province to administer and enforce. Additionally, the Province should take the lead on identifying the potential impacts of these types of businesses and disseminating this information to local governments so they can make informed decisions on whether or not to allow these types of businesses in their communities.

Drug-impaired Driving

To combat cannabis-impaired driving, the RMOW recommends that the Province:

- Develop and implement an extensive public education and awareness campaign to educate drivers—specifically young drivers—on the dangers of cannabis-impaired driving.
- Allocate financial resources to support local law enforcement agencies in enforcing drug-impaired driving laws and to recognize that these needs will change as technology and the legal framework related to cannabis-impaired driving evolves.
- Expand Immediate Roadside Prohibition (IRP), Administrative Driving Prohibition (ADP) and similar programmes to include cannabis impairment and ensure these programs include administration and appeal processes that are effective at identifying and punishing drivers who have used cannabis irresponsibly.



- Enact laws prohibiting cannabis transported in a vehicle from being accessible to the driver, similar to “open alcohol” rules in [section 76 of the Liquor Control and Licensing Act](#).

Public education and outreach has the broadest reach and the proactive benefit of *preventing* impaired driving. Although investing in other techniques is also required, it goes without saying that the Province should make a substantial and early investment in this area.

Local police needs are likely to change once cannabis is legalized and again later as new techniques and science related to impairment levels and detection emerge. In the absence of proven screening devices and impairment thresholds (i.e. THC concentrations in the body) for cannabis, provincial investment in this area should initially focus on increasing the police presence on roads, and training more officers as Drug Recognition Experts (DRE’s). Currently, the Whistler RCMP detachment has only one officer certified as a DRE. Many other BC municipalities are likely in the same situation or have no DRE’s at all. As roadside screening devices and “per se” impairment limits are developed, further funding will likely be required to equip and train local police forces on these new methods.

IRP, ADP and similar programs for alcohol-impaired driving have proven effective in reducing incidences of impaired driving in BC and the RMOW is confident similar programs for cannabis-impaired driving would also be effective. Noting the evolution of these programs for alcohol-impaired driving, their summary-like punishments and the current lack of per se impairment limits and detection devices for cannabis, it may be prudent for the Province to develop administration and appeals processes that are well-adapted to the unique challenges of identifying and penalizing cannabis-impaired drivers.

Additionally, though not mentioned in the Ministry’s discussion paper, the RMOW recommends enacting laws similar to “open alcohol” laws that would prevent cannabis from being accessible to a driver. These additional laws would complement criminal impairment laws and IRP/ADP programs by helping to prevent drivers from becoming impaired from second-hand cannabis smoke, aligning with existing rules for alcohol and generally discouraging the use of cannabis in vehicles. It is our understanding that Alberta may also be considering such legislation.

Any laws and regulations pertaining to drug-impaired driving or the use and possession of cannabis in relation to motor vehicles should be the responsibility of the Province to enforce with resources provided to local police departments to cover additional policing costs.

Personal Cultivation

The RMOW recommends that provincial cultivation laws place no further restrictions on the number, size and location (i.e. indoor or outdoor) of plants that may be grown in homes. Instead the RMOW recommends the following:

- Educating strata corporations and landlords on their existing powers to enact and enforce bylaws and tenancy rules prohibiting or restricting recreational cannabis cultivation. Similarly, educating homeowners and tenants on their rights and responsibilities related to home cultivation through provincial agencies like the Residential Tenancy Branch.
- Amending the *Residential Tenancy Act* to allow landlords bound by existing tenancy agreements to impose new rules prohibiting or restricting recreational cannabis production and allowing



landlords to collect “cannabis deposits”, similar to pet deposits when indoor cultivation is an agreed-upon term of tenancy.

Strata corporations, landlords and municipalities already have powers under their respective legislation to prohibit or restrict recreational cannabis cultivation. Municipalities also have existing licensing powers and could elect to use them to regulate home cultivation. With the exception of the *Residential Tenancy Act* issue noted below, there are no existing barriers that would prevent municipalities, landlords and strata corporations from enacting home cultivation rules adapted to their specific concerns and circumstances. The appropriateness of home cultivation and associated safety and security measures will vary greatly between different homes and communities. Therefore, it would be prudent to allow—but not require—strata corporations, municipalities and landlords to develop and enforce rules for home cultivation that are most appropriate. Provincial regulations in this area are more likely to be imprecise and overbearing.

Where landlords are subject to existing tenancy agreements, the *Residential Tenancy Act* currently prohibits a landlord from adding new terms to the tenancy agreement. It is not likely that landlords in this situation will be able to prohibit recreational cannabis cultivation on their property once the *Cannabis Act* comes into force. If the *Residential Tenancy Act* is left unchanged, landlords may seek ways to evict tenants (e.g. through “renovictions”) as a means of establishing new tenancies with rules prohibiting cannabis cultivation. This would have obvious impacts on housing which is already a major concern in Whistler and other areas of the province. Growing recreational cannabis is not a necessity or inherent right of tenancy. Like pets and smoking, cannabis cultivation may, in certain circumstances, be a health and safety concern or cause property damage. It would be appropriate and fair to ensure all landlords are given the chance to decide whether recreational cannabis can be grown on their property under existing tenancy agreements. Additionally, giving landlords and tenants the option of “cannabis deposits” provides a valuable tool to assist landlords and tenants in creating mutually-agreeable tenancy agreements and preventing tenancy disputes.

While municipalities, landlords and strata corporations can be expected to enforce any rules they enact regulating home cultivation, enforcing any additional Provincial regulations, or the federal limits on the size and number of plants, should be the responsibility of the provincial and/or federal governments.

Distribution Model

The RMOW supports a distribution model that:

- Minimizes illegal supply chains for cannabis.
- Maintains municipal zoning control and business regulations over distribution facilities.
- Allows retailers and ultimately customers to select cannabis products from the suppliers they prefer by offering products from a variety of producers, including local or small-scale producers, while providing adequate controls to prevent criminal activity.

The RMOW does not recommend a particular distribution model per se, but rather one where all of the above conditions are met.



Retail Model

The RMOW supports a retail model that:

- Minimizes the influence and presence of criminal elements in the cannabis retail market.
- Retains municipal zoning and land use controls and business regulations over retail facilities.
- Keeps prices reasonable for consumers, so as to ensure that the legal cannabis market has a competitive advantage over the illicit market.
- Gives communities control over the local retail model so as to make it responsive and adaptable to local issues, concerns and consumer preferences (e.g. location, number, character, hours of operation etc.)
- Ensures communities share in the economic benefits created by cannabis retailing, including distributing a portion of provincial cannabis sales taxes to the communities where cannabis is sold.

Considering the above, a provincial retail monopoly or a hybrid system where the Province is a retailer, raises a particular concern that should be addressed in any legislation establishing the Province as a cannabis retailer. Generally, the Province is exempt from enactments that bind or affect it in the use of land. In the case of cannabis, this power may exempt provincial cannabis retailers from municipal zoning bylaws, allowing the Province to locate cannabis retail facilities in any municipality against the wishes of the community. Such overriding powers are unnecessary for the retail of recreational cannabis and municipalities should have the final say on if and where recreational cannabis facilities are located in their communities.

Should the Province pursue a provincially-run system, the RMOW recommends that the legislation enabling provincial control require provincial cannabis retail facilities to comply with local zoning and other municipal bylaws.

Summary

We trust that the points we have raised in this response will prove informative in shaping a framework for legal cannabis in BC that is safe and enjoyable for everyone. We look forward to the continued engagement with the Province on this issue. Again we thank you for the opportunity to comment on this matter.

On behalf of the Resort Municipality of Whistler

Nancy Wilhelm-Morden
Mayor



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 9, 2018
FROM: Infrastructure Services
SUBJECT: INFRASTRUCTURE SERVICES PROJECT BUDGET AMENDMENTS

REPORT: 18-003
FILE: 150

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council direct staff to prepare an amendment to the Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017 for three capital projects, E004 Annual Water Reconstruction (increase by \$458,800), E108 Alpine Reservoir Level Control (increase by \$60,000), and E133 Primary Tank Flow Equalization (increase by \$115,000) for a total of \$663,800 to the Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017.

REFERENCES

None.

PURPOSE OF REPORT

The purpose of this Report is to update Council on the required changes to the Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017 in order to accommodate two emergency water main repairs, the increased costs of implementing a reservoir level control project, and the additional costs to complete an important wastewater treatment plant project in 2017.

DISCUSSION

During the 2017 construction season there were two significant emergency/unplanned water main repairs completed that were funded by the Annual Water Reconstruction Project (E004) budget. These two unplanned projects had a total cost of approximately \$500,000, resulting in a Water Annual Reconstruction Project overspend of \$455,000. Both projects can be attributed to aging water main infrastructure that failed pre-maturely due to the corrosive soils in certain areas of the Whistler valley. The emergency repairs were acted on without delay by Resort Municipality of Whistler (RMOW) staff and were designed and repaired in an efficient manner limiting disturbance to public and resident water supply. Impact on the 2017 Annual Water Reconstruction Budget was mitigated by delaying other work that was less critical.

Northlands Boulevard Emergency Water Main Repair Project (E004) Overview:

Date: June to September 2017

Project Location: Northlands Blvd across from Glaciers Reach complex

Total cost: \$95,427

- Emergency works requiring immediate action due to a water main break which impacted water service to a large multi-unit residential building in the Glaciers Reach complex.

- Design was completed in the field due to time constraints and the relative low complexity of the work required. Repair work consisted of excavation, investigation of mode of failure, and replacement of failed and aging fittings in consultation with RMOW Utilities staff.
- Procurement process was completed by inviting three local contractors to provide price quotes as work was anticipated to be under \$100,000. Only local contractors with appropriate experience were asked to provide a quote. Only one contractor was available on short notice to complete this emergency repair, but the contractor worked at the fees set out in our long-term contracting services agreement that we have with this contractor.
- Additional work was required as a second leak across the street from Glaciers Reach appeared immediately after completion of the first repair. Mode of failure for both leaks was corroded fasteners (nuts, bolts, and threaded rods). This area appears to be in a zone of high corrosion potential that seems to run through the former wetland areas from Spruce Grove through White Gold, Montebello and into the north-west corner of the Village core.

Cheakamus Way Emergency Water Main Repair Project (E004) Overview:

Date: July to September 2017

Project Location: Cheakamus Way from Bayshores Drive to Tricouni Place

Total cost: \$405,351

- Water main break occurred due to ductile iron (DI) pipe failure during road milling as part of the annual road reconstruction project. Investigation following leak discovery by Utilities staff showed severely corroded DI pipe with several large holes. Decision was made by utilities team to replace remaining 1980 vintage corroded DI pipe and fittings in the roadway. A section of sewer line was also repaired that was discovered to be in a deteriorated condition.
- Water main and sewer line repair work had to be completed before replacement of the asphalt to prevent water or sewer infrastructure failures under the new asphalt (value of repaving work on Cheakamus Way was \$155,000).
- Water main repair design and tender package was completed by ISL Engineering.
- Replacement of DI pipe was completed with more resilient PVC pipe.
- Procurement of the work was done by select tender to multiple local contractors as the price was expected to be over \$100,000, but the work needed to be completed in a timely fashion. Other vendors that were invited to bid declined to put in a price on this work due to no availability in the timeline required. Tender was awarded to Ponte Bros. Construction Ltd. as they provided the only bid for this work, have done a good job of other similar work in Whistler, and were expected to be able to complete the work quickly allowing Cheakamus Way to be repaved as soon as possible to minimize impact on the local residents.
- As-constructed drawings were completed by ISL Engineering. The design was modified in-field to account for new “discoveries” such as inaccessible valve clusters, sections of improperly abandoned water main, and tie-in locations were modified in the field due to differences from what was indicated on the “as-constructed” 1980 drawings.

Alpine Reservoir Level Control Project (E108) Overview:

Date: Spring 2015 to Fall 2018

Project Location: Alpine Reservoir and Golden Bear Valve Kiosk in Nicklaus North subdivision

Budget Update: Increase 2017 budget from \$36,000 to \$96,000

The Alpine Reservoir Level Control project (E108) also experienced technical challenges that required additional work to complete the original scope of the project. Approximately an additional \$60,000 was required to complete the project work in 2017 as detailed below.

This water capital project was initiated in early 2015 with design completed in the fall of 2015 and tendering of the construction in spring 2016. The implementation period was from June of 2016 to 2017. The scope of this project is to automatically control the connection between the Alpine Meadows water system and the Whistler Village system with a series of new valves, altitude valve sensor and automated communications and control system.

Project design work was completed by ISL Engineering and the construction contract was awarded to Industra Construction Corp. Industra's tender was awarded in May 2016 at a value of \$396,000.

Benefits of the project include:

- Automation of valves to control the connection between the Whistler Village water system and the Alpine Meadows water system through use of the utilities SCADA network. Only manual control of the connection between the two systems was available in the past.
- Better utilization of the gravity-fed 21 Mile Creek water supply, rather than pumping well water from Alpine Meadows wells.
- Significant cost savings from lower energy use of 21 Mile Creek water supply. Average annual cost of electricity for the three Alpine Meadows wells is \$36,000 per year.

System testing and investigation, and communications programming and commissioning completed in 2017 was more difficult, time consuming and expensive than anticipated. Despite the additional costs of the work in 2017, the total project costs over three years remain below the total three year budget. Completion of the final portion of the work in 2018 is anticipated to cost \$75,000, and will result in a total project cost slightly below the total project budget of \$662,000.

Year	Project Phase	Budget (\$)	Actuals (\$)	Variance (\$)
2015	Design	200,000	27,473	172,527
2016	Procurement and Implementation	426,000	432,000	(6,000)
2017	Implementation, Completion of Tender and Communications	36,000	90,070	(54,070)**
	Total (2015 – 2017)	662,000	549,543	112,457
2018	Deficiencies, Communications, Testing	75,000	TBD	TBD

Remaining work in 2018 includes completion of deficiencies as follows:

- Test Alpine Reservoir altitude valve in closed position with wells off, RMOW staff to confirm.
- Testing of outflow flowmeter being able to turn wells off. RMOW staff to confirm.
- Testing of automatic control valve at Golden Bear (Nicklaus North site).
- Completion of SCADA programming for all three interconnected sites: Golden Bear, Alpine Reservoir and 21 Mile Pump Station (P280).
- Heaters, thermostats and conduits at Golden Bear site to be upgraded to meet electrical code.

Primary Tank Flow Equalization Project (E133) Overview:

Date: Spring / Summer 2017

Project Location: Whistler Wastewater Treatment Plant (WWTP)

Budget Update: Increase 2017 budget from \$80,000 to \$195,000

When originally budgeted, a rough cost estimate was used for this project. This was a very important project to ensure the Whistler Wastewater Treatment Plant (WWTP) could meet our

stringent summer phosphorous emissions standards, and the historically difficult fall shoulder season (difficult due to low flows and rapid flow changes). The purpose of the work was to automatically utilize our empty primary settling tanks during high flow periods to level out the flow peaks, and to drain these tanks back to headworks during our low flow periods. This helped stabilize overall flow and loading conditions at the plant. The results of this project are vastly improved operations of the WWTP.

The impact on the overall capital project costs at the WWTP have been mitigated by eliminating the Secondary Clarifier Tank 403 Refurbishment Project (E134) as inspection of that tank showed that the refurbishment was not required (a savings of \$60,000) and reduction of the scope of work on several less critical sub-projects within the Annual Wastewater Treatment Plant Reconstruction Project (E018).

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Finance	Financial principles, practices and tools employed by both the public and private sectors encourage behaviour that moves Whistler toward success and sustainability	Sound procurement practices were employed by requesting multiple bids to ensure fair market value.
Water	Whistler's potable water supply system delivers water of excellent quality, which meets or exceeds all relevant health standards, and meets benchmark aesthetic standards whenever possible	<p>The completed work will improve the water quality as we move away from materials that are easily corroded.</p> <p>Work completed for the Alpine Meadows Reservoir system will also allow more efficient utilization of the gravity fed 21 Mile creek system instead of constant use of the 3 Alpine Meadows wells and will reduce electricity usage.</p>

The compilation and dissemination of the attached report does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

None.

BUDGET CONSIDERATIONS

The budget for the 2017 Annual Water Reconstruction Project (E004) will be changed from \$226,200 to \$680,000 to accommodate the funding of the two emergency water main repairs in 2017.

The budget for the 2017 Alpine Reservoir Level Control Project (E108) will be changed from \$36,000 to \$96,000, but the multi-year budget for this project of \$662,000 will not be exceeded.

The budget for the 2017 Primary Tank Flow Equalization project (E133) will be changed from \$80,000 to \$195,000 to accommodate the full scope of the work required to complete this project in 2017.

The impact of these projects on the total 2017 capital project budget has been mitigated by other project spending that has been either reduced or delayed to 2018. The total cost of Infrastructure Services capital projects in 2017 will not exceed the amount budgeted.

Project ID	Project Name	Budget (\$)	Actuals (\$)	Amended Budget Request (\$)
E004_38/39	Northlands Boulevard & Cheakamus Way Water Main Repairs	0	500,778 =(95,427+405,351)	458,800
E108	Alpine Reservoir Level Control	36,000	96,000	60,000
E133	Primary Tank Flow Equalization	80,000	195,000	115,000
	Total 2017 – 2021 Budget Amendment	116,000	791,778	633,800

COMMUNITY ENGAGEMENT AND CONSULTATION

Residents were informed by a variety of means such as construction notice signs, RMOW website, Facebook posts and via hand delivered letters during the emergency water main repair work.

SUMMARY

The Five-Year Financial Plan 2017-2021 Bylaw No. 2141, 2017 will require changes to three capital project budgets, E004 Annual Water Reconstruction, E108 Alpine Reservoir Level Control, and E133 Primary Tank Flow Equalization in order to accommodate two emergency water main repairs, the increased costs of implementing a reservoir level control project, and the additional costs to complete an important Wastewater Treatment Plant Project in 2017.

Respectfully submitted,

Tammy Shore, P. Eng.
CAPITAL PROJECTS MANAGER
for
James Hallisey, P. Eng.
GENERAL MANAGER OF INFRASTRUCTURE SERVICES



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 9, 2018

REPORT: 18 – 002

FROM: Resort Experience

FILE: DVP1138

SUBJECT: DVP1138 – 6163 EAGLE DRIVE – SETBACK VARIANCES

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council approve the issuance of Development Variance Permit DVP1138 for a proposed carport relocation at 6163 Eagle Drive to vary the front setback from 5 metres to 1.51 metres and vary the north side setback from 3 metres to 1.81 metres as shown on plans A1.0 and A3.0 prepared by C.S. Clark Design, dated November 10, 2017, attached as Appendix “B” to Administrative Report to Council No. 18 – 002.

REFERENCES

Location: 6163 Eagle Drive
Legal: PID 005-823-561 Lot 7, Block H, DL 4752 Plan VAP 18788
Owner: Fullerton Holdings
Zoning: RT2

Appendices: “A” – Location Plan
“B” – Plans A1.0 and A3.0

PURPOSE OF REPORT

This Report seeks Council’s consideration to vary the front and side setback requirements stipulated in “Zoning and Parking Bylaw No. 303, 2015” at 6163 Eagle Drive for an existing carport to be relocated out of the road right of way and onto the subject property.

Section 498 of the *Local Government Act* authorizes Council to vary regulations contained in a zoning bylaw by way of a Development Variance Permit.

DISCUSSION

The owners are proposing to relocate an existing carport out of the Eagle Drive road right of way and onto their property at 6163 Eagle Drive.

The existing carport received a stop work order in November of 2011 for construction without a building permit. The carport is currently 2 metres onto the Eagle Drive road right of way. Staff met with the owner of the property at that time to go over the options for rectifying the situation.

The property was sold in November of 2012 to the current owner who later applied to the Board of Variance in March 2013 to address the location of the carport and convert the carport to a garage. Their application requested a variance to reduce the front setback from 5 metres to 1.51 metres and the side setback from 3 metres to 1.44 metres. Staff had concerns with the streetscape impact of an enclosed garage versus an open carport. The requested variances were denied by the Board of

Variance at that time. After the Board of Variance decision, planning staff sent enforcement letters to the owner requesting that they rectify the carport encroachment.

Subsequent to receiving enforcement letters from the municipality, the owner applied for the Development Variance Permit to relocate the existing carport out of the Eagle Drive road right of way and onto their property at 6163 Eagle Drive. The proposed carport relocation is shown in Appendix “B”.

The proposed location for the carport is off the road right of way as far away as possible given the existing site conditions and location of the existing detached dwelling. The proposal will rectify the existing encroachment from the previous owner of the property. Staff is supportive of the proposed carport relocation off the road right of way and reuse of the existing structure.

The requested front and side building setback variances are described in the accompanying table. Roof overhangs are permitted to extend an additional 1 metre into the required setback.

Variance Request	“Zoning and Parking Bylaw No. 303, 2015” Regulation
Vary the front setback from 5.0 metres to 1.51 metres to relocate an existing carport.	Part 5 – Subsection 14 (1): Relaxation of Siting Limitations In all RS, RI and RT Residential zones, in the TB1 zone, and for detached and duplex dwellings in all RTA zones, an auxiliary or attached building for garage or carport use may be set back a minimum of 5 metres from the front parcel line. (Bylaw No. 916; Bylaw No. 1435; Bylaw No. 1914)
Vary the north setback from 3 metres to 1.81 metres to relocate an existing carport.	Part – Subsection 3 (5): Auxiliary Buildings Subject to section 4 an auxiliary building is permitted to be sited not less than 3 metres from a side or rear parcel line.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected.	Apart from the minor variances requested herein, the project conforms to all aspects of the Zoning Bylaw.
	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewsapes and evoking a dynamic sense of place.	The proposed carport location is consistent with neighbourhood character. Viewsapes will not be affected by this proposal.

The compilation and dissemination of the attached report does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

Development Variance Permit Criteria

Staff have established criteria for consideration of Development Variance Permits. The proposed variance is considered to be consistent with these criteria as described in the table below.

Potential Positive Impacts	Comment
Compliments a particular streetscape or neighbourhood.	The setback variances are considered minor and the streetscape will be improved with the carport moving off the road right of way. The carport is an open structure that allows a person to look through the structure thus reducing the visual impact from the street.
Works with the topography of the site, reducing the need for major site preparation or earthwork.	No earthworks or site preparation are required.
Maintains or enhances desirable site features, such as natural vegetation trees and rock outcrops.	The carport moves away from the road as far as possible given the location of the existing dwelling.
Results in superior siting with respect to light access resulting in decreased energy requirements.	N/A
Results in superior siting with respect to privacy.	N/A
Enhances views from neighbouring buildings and sites.	The proposed variances are will not to affect views from neighbouring properties.
Potential Negative Impacts	Comment
Is inconsistent with neighbourhood character.	The existing dwelling and proposed improvements are considered consistent with the rest of this established neighbourhood.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	The proposal to relocate the carport onto the subject property will decrease the appearance of building bulk from the street.
Requires extensive site preparation.	N/A
Substantially affects the use and enjoyment of adjacent lands. (e.g. reduces light access, privacy, and views).	The proposed variances are not considered to affect the use and enjoyment of adjacent lands.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	N/A
Requires a height variance to facilitate gross floor area exclusion.	N/A.

Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).	The proposal will move the existing structure off the road right of way and onto the subject property.
--	--

Zoning and Parking Bylaw No. 303, 2015

The property is zoned RT2 (Two Family Residential Two). Apart from the variance requests addressed in the Discussion section of this report, the proposal meets all other regulations of “Zoning and Parking Bylaw No. 303, 2015”.

BUDGET CONSIDERATIONS

The municipality’s direct costs of processing and reviewing this application are covered through Development Variance Permit application fees.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing Development Variance Permit DVP1138 is posted on the property. Notices were sent to surrounding property owners in December 2017. No responses have been received to date.

SUMMARY

Development Variance Permit DVP1138 is a proposal to vary the front and side building setback requirements at 6163 Eagle Drive to relocate an existing carport out of the Eagle Drive road right of way and onto the subject property at 6163 Eagle Drive. This Report recommends Council’s approval of the issuance of Development Variance Permit DVP1138.

Respectfully submitted,

Kevin Creery
PLANNING ANALYST
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix “A” – Location Plan



SUBJECT LANDS



EDGE OF PAVEMENT

PROPERTY LINE 123.36' (37.6m)

WHISTLER BC.
TEL: 604-935-0884

LEGAL NOTICE: THIS DRAWING AND DRAWINGS CONTAINED HEREIN ARE THE EXCLUSIVE PROPERTY OF C.S. OLAM DESIGN AND CONSTRUCTION, INC. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM C.S. OLAM DESIGN AND CONSTRUCTION, INC. IT IS THE RESPONSIBILITY OF THE APPROPRIATE CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE AND REPORT ALL ERRORS AND/OR OMISSIONS PRIOR TO COMMENCEMENT OF PROJECT/WORKER. DO NOT SCALE DRAWINGS.

6163 EAGLE DRIVE

SITE PLAN

RK

DRAWING #

PROJECT DATA

NOTES

CIVIC ADDRESS:

WHISTLER, BC.

LEGAL DESCRIPTION:

LOT 4752 PLAN 18788

GROUP 1, NEW
WESTMINSTER DISTRICT

WESTMINISTER DISTRICT

ZONING:
RESIDENTIAL (LOW - MEDIUM DENSITY)

LOT AREA:

7,507.43 SQ. FT.

NOTE:
ALL DIMENSIONS ARE IN METERS

EAGLE DRIVE BEYOND

NORTH SIDE YARD SETBACK

1.81

NORTH PROPERTY LINE

PROPOSED CARPORT LOCATION

CONFEROUS TREES ALONG NORTH PROPERTY LINE

EAST

EXISTING LOG HOUSE BEHIND

FRONT YARD SETBACK

CARPORT / GARAGE SETBACK

FROM WEST PROPERTY LINE TO OUTSIDE OF COLUMN

FROM WEST PROPERTY LINE TO ROOF OVERHANGS

1.51

1

FRONT PROPERTY LINE

PROPOSED CARPORT LOCATION

NORTH

EAGLE DRIVE



WHISTLER

MINUTES

REGULAR MEETING OF FOREST & WILDLAND ADVISORY COMMITTEE

WEDNESDAY, NOVEMBER 8, 2017, STARTING AT
3:00 P.M.

In the Flute Room
4325 Blackcomb Way, Whistler, BC V0N 1B4

File: 8221.03

Name	Meetings to Date: 10
Present:	
AWARE, Claire Ruddy, Chair	8
Council, John Grills	3
Member at Large, Colin Rankin	6
Member at Large, Candace Rose-Taylor	5
Member at Large, Arthur DeJong	9
WORCA, Todd Hellinga	6
Member at Large, Kathi Bridge	6
Regrets:	
Member at Large, Mac Lowry	4
Member at Large, Trevor Burton	6
Member at Large, Derek Bonin	9
Member at Large, Johnny Mikes	7
Recording Secretary	
Heather Beresford	10

Adoption of Agenda

ADOPTION OF AGENDA

Moved by A. DeJong
Seconded by T. Hellinga

That the Forest & Wildland Advisory Committee adopt the Forest & Wildland Advisory Committee agenda for November 8, 2017.

CARRIED

Adoption of Minutes

ADOPTION OF MINUTES

Moved by K. Bridge
Seconded by C. Rose-Taylor

That the Forest & Wildland Advisory Committee adopt the Forest & Wildland Advisory Committee minutes for October 11, 2017.

CARRIED

Verbal Reports

Council

- Community Forum, November 2
- Cathy Jewett won by-election
- Prism Lands – moving forward to rezoning. 100 acres to RMOW. Consider options for reducing wildfire risk on the property.

AWARE

- “Whistler’s Old and Ancient Trees” map/brochure/website almost complete. Community Foundation of Whistler funding.

WORCA:

- Planning season
- Application submitted to Recreation Sites & Trails BC for alternate access to Flank Trail/Sproatt system
- Drafting long term vision based on public input

RMOW:

- Callaghan FSR, Alpine Meadows and CCF#5 fuel thinning projects scheduled for autumn 2017
- Trail Planning Working Group – meeting November 16
 - AWARE member assigned to TPWG as permanent member to provide representation for FWAC and WBAC. Add TPWG notes and newsletters to FWAC and WBAC agendas.
- 2018 Program: Cheakamus Lake Road with CCF, Kadenwood/Big Timber

Cheakamus Community Forest:

- Open House on October 27; Board meeting November 9

Cheakamus Community Forest 2018 Harvesting Plans

Presentation by Tom Cole, Forest Manager for Cheakamus Community Forest regarding proposed 2018 harvesting plans.

<http://www.cheakamuscommunityforest.com/maps-and-harvesting-plans/>

- To date CCF harvested ~16,000 m3 from Wedge 02 & 08, Callaghan A01, and CCF5/Alpine Meadows (N01) fuel thinning project.
 - ~8,000 m3 from Wedge in combination with thinning
 - ~5,000 m3 from Callaghan A01
 - ~3,000 m3 from CCF5/Alpine Meadows
- 2018 Plans

- Fee 01 – build road, log in 2019
- CK01 – upgrade FSR, conventional logging and potential heli-logging on south flank of Whistler Mountain. Concerns expressed by FWAC due to proximity to recreational trails and visual impacts. WORCA not supportive and provided letter to CCF Board of Directors (attached as Appendix A)
- CCF seeking support from FLNRO on maintaining Forest Service Road status on road through quarry and over to Basalt Valley Road. Provides preferred alternate route to Loggers Lake Road.
- Fuel thinning project – Cheakamus Lake Road.

Discussion:

- Improve maps for ease of reading. Include recreation trails/features.
- Request for CCF data to be available on RMOW GIS.
- CCF sent response to FWAC's 2016 annual report
- FWAC recommended better integration of communications and planning between harvesting and fuel management projects
- Cheakamus East main fuel treatments should avoid disturbing the spacing trials and other treatment areas that are used for interpretation
- Cheakamus 10 fits well with the purpose of the interpretive forest and potential of moving the gate towards the park boundary is positive
- Callaghan (Edna, Metal Dome, etc) sites situated on long slopes with significant runoff and potential slope stability issues. Water management and minimal ground disturbance will need to be considered during road construction and logging to minimize erosion and mass wasting
- Is the carbon footprint of heli-logging contrary to community and CCF priorities?
- Request that CCF improve transparency and share more financial information with community

FWAC CCF Field Trip

A presentation by Heather Beresford, RMOW Environmental Stewardship Manager, regarding the FWAC CCF Field Trip.

FWAC CCF Field Trip occurred on October 26, 2017. Comments from spring and fall 2017 field trips are basis for annual FWAC CCF report.

Discussion and comments:

- Need to integrate CCF tenure, fuel management and regular harvesting. Resolve the policy disconnects.
- Projects that thin trees to 250-300 stems per hectare are more effective at reducing percent crown cover and lowering risk

- Connect the planning between CCF areas, Wildland Urban Interface (WUI) and municipal lands
- Regular harvesting sites could remove more debris and meet fuel thinning prescription standards, and contribute to fire breaks. Explore opportunities for provincial funding.
- Large debris pile at Wedge 08 will be ground and taken to Callaghan composter using Forest Enhancement Society funding.
- Merchantable timber sales from the fuel treatment areas within the CCF tenure helps offset the cost of the treatments and contributes to the annual allowable cut
- Riparian areas should be omitted from treatment – lower risk due to vegetation type, and helps retain biodiversity
- Roadside manual fuel reduction may be more efficient by dragging slash away from road versus chipping
- Decay and herbaceous growth over time will also reduce road side fuel hazard
- Retention and planting of deciduous species on skid trails will assist in maintaining a lower fuel hazard
- Long term monitoring plots needed to evaluate the effectiveness of the fuel treatments over time to learn and inform prescriptions
- Skid trails should avoid crossing streams or at a minimum remove excess slash from channel during skid trail restoration
- Small cable logging methods can minimize the need for temporary skid trails

OTHER BUSINESS

- Next meeting December 13, 2017
- January agenda: FWAC priorities list review; elect chair; Whistler Interpretive Forest – discuss who is responsible; make recommendation for future management.

Future Agenda Items:

-

ADJOURNMENT

Moved by A. DeJong

That the Forest & Wildland Advisory Committee adjourn the November 8, 2017 meeting at 4:59 p.m.

CARRIED

CHAIR: C. Ruddy

RECORDING SECRETARY: H. Beresford

APPENDIX A – WORCA Letter to CCF Board regarding proposed Cheakamus01 harvesting plan

November 4, 2017

Whistler Off-Road Cycling Association Comments

Cheakamus Community Forest- 2018 Planned Harvesting and Fuel Treatment

To the CCF Board of Directors,

WORCA have reviewed the 2018 planned harvesting and fuel treatment plans presented by the CCF and would like to offer the following comments for consideration. We have appreciated the collaborative nature of the relationship between our organizations and continue to see opportunities to work together to achieve outcomes that seek to serve both parties in a productive fashion in the years ahead. WORCA helps manage, maintain, and build a non-motorized recreation trails for locals and tourists alike that provides economic impact to our local, regional, and provincial economies in excess of \$20 million per year, just for the trails that we manage in the valley. WORCA takes this responsibility seriously and provides the following feedback with that in mind.

One thing that would greatly enhance public understanding of the planned harvesting maps would be the inclusion of recreation trails to help our members, and the general public, better orient themselves in understanding the potential impacts of proposed harvesting on local recreation values. We continually receive comments that our members do not understand where these proposed harvest areas are, and more effort needs to be made in this regard as the trail data was provided by WORCA to the CCF. Please include recreation trails in future mapping.

We have reviewed the proposed harvesting plans against our trail inventory and interests, and generally do not have concerns in most of the areas. In C10/C15, these areas enhanced access and harvesting activities will allow WORCA to act on plans identified in our long term trail development process by connecting existing trail networks with continuous singletrack and add diversity to our recreation trail network. When harvesting is complete these areas will provide opportunities for the community to realize trail connections to and from the existing, but isolated, Jane Lakes network which we have been reactivating with the support of the RMOW over the past 2 years, with further works in 2018 planned. WORCA would encourage the CCF to focus activities in these areas now so as to get ahead of any potential increases in recreational use with anticipated future recreation trail development.

We do NOT support the inclusion of "C01" as a planned harvesting block and would like to re-iterate that we feel harvesting, much less heli-logging, is not appropriate in the immediate Cheakamus Crossing/Function Junction area. This block is located directly in the middle of high use and value recreation trails immediately adjacent to Cheakamus Crossing and Function Junction and clearly visible from both of those locations and highway 99 for those travelling north. "C01" is the obvious remaining patch of old growth on the west flank of Whistler Mountain, in an area significantly impacted by extensive clear-cut logging in the past.

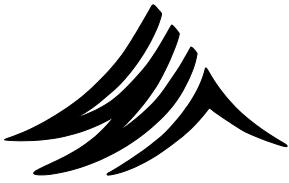
The “C01” planned block is surrounded by some of the highest use trails in the south end of Whistler, including trails accessed via the Whistler Bike Park within the controlled recreation area. The microwave road (West Side Whistler) is one of the busiest access routes in town as it is one of the first to open in the spring and last to close in the fall, in addition to regular winter use as a dog walking and snowshoe route. It is used by hundreds of riders per week accessing AMPM, It's Business Time, Tunnel Vision, and others. Lower Babylon, See Colours and Puke, High Side, HiHi, and Highline also make up pieces of a highly used loop for intermediate riders. The proposed heli-logging in this area seems excessive and unnecessary while the drop site is within one hundred meters of High Side and HiHi and a main parking area for people viewing the suspension bridge over the river. Use is so prevalent from all sides that controlling public access during harvesting and hauling will be extremely challenging.

Connected with the higher elevation old growth on the western flanks of Whistler, and the last remaining bits in the valley close to Function Junction, this patch of mixed age old growth, provides one strip of nearly continuous old growth from the valley to alpine and should be retained as such for habitat diversity. We believe this block should be preserved in its current form and harvesting should be shifted to planned areas in C10/C15 as these areas are not currently used for recreation or highly visible and therefore would be minimal impacts in that regard.

Working with Tom on our Interpretive Forest Far Out/Flashback trail connection plan in conjunction with the proposed fuel treatment prescriptions along Cheakamus Lake FSR (Eastside Main) corridor has shown that we can work together to enhance our forest and protect our community infrastructure while also smartly expanding and connecting our existing trail recreation opportunities in a high use and highly valued area. These fuel reduction efforts are extremely important to the community and will additionally allow for easier and faster trail development after the forest is opened up. This a perfect example of how we can work together for the benefit of the community.

WORCA looks forward to continuing our cooperation and collaboration with the CCF to help realize our trail development goals and plans into the future. Thank you for considering our comments and concerns.

Regards,
Whistler Off-Road Cycling Association, Board of Directors



WHISTLER

MINUTES

REGULAR MEETING OF WHISTLER BEAR ADVISORY COMMITTEE
NOVEMBER 8, 2017, STARTING AT 8:30 A.M.

**In the Decker Room
RMOW Public Works Yard**

PRESENT:

Co-Chair, RMOW, H. Beresford
AWARE/C2C Grizzly Bear Initiative, C. Ruddy
Carney's Waste Systems, P. Kindree
Conservation Officer Service, S. Gravel
RCMP, R. Knapton
RMOW Council, S. Maxwell
RMOW Bylaw Services, T. Lunn
Whistler Blackcomb, A. DeJong
Recording Secretary, A. Paris

PUBLIC:

Whistler Wildlife Protection Group, I. Minic-Lukac
M. Toom

REGRETS:

Member at Large, N. Dudley

ADOPTION OF AGENDA

Moved by S. Maxwell
Seconded by K. Popjes

That Whistler Bear Advisory Committee adopt the Whistler Bear Advisory Committee agenda of November 8, 2017.

CARRIED

ADOPTION OF MINUTES

Moved by S. Maxwell
Seconded by A. DeJong

That Whistler Bear Advisory Committee adopt the Regular Whistler Bear Advisory Committee minutes of October 11, 2017.

CARRIED

PRESENTATIONS/DELEGATIONS

Conservation Officer Services

A presentation by S. Gravel was given regarding Conservation Officer Service's activities and a discussion was held.

- Conducting audits and providing education to new residents in historic problem areas: Creekside and staff housing
- Positive media cover in the Question: "Successful bear season for COS"

P. Kindree entered at 8:34 a.m.

I. Minic-Lukac entered at 8:36 a.m.

RMOW - Bylaw Services

A presentation by T. Lunn was given regarding RMOW Bylaw Service's activities and a discussion was held.

- 9 garbage calls, last year around 8 calls
- Construction bins: Solid Waste bylaw passed without the requested change to wildlife proof construction bins. Potential for increased monitoring and auditing to ensure that construction bins are not attracting wildlife. Further discussion regarding who is responsible for the bins, education and signage.
- Largest issue is with bins from Vancouver suppliers, zero education regarding bears
- Look at options for signage, preparing an information flat sheet for Bylaw Services to distribute

ACTION: T. Lunn and RMOW environmental coordinator to develop education piece for construction bins by spring 2018.

RCMP

A presentation by R. Knapton was given regarding RCMP activities and a discussion was held.

- 2 calls October 10th and 12th: Evolution hotel; Cascade Lodge: bear hazed and left the area

Carney's Waste Services

A presentation by P. Kindree was given regarding Carney's Waste Services' activities and a discussion was held.

- Callaghan Transfer Station cattle guard turned off due to snow, water shorts it out. As snow rises, perimeter fencing will be turned on.

Whistler Blackcomb

A presentation by A. DeJong was given regarding Whistler Blackcomb activities and a discussion was held.

- Some low elevation movement, berry crop is finished and they are heading straight into denning
- Population has dropped

**AWARE and
Coast to
Cascades**

A presentation by C. Ruddy was given regarding AWARE and Coast to Cascades Grizzly Bear Initiative activities and a discussion was held.

- Organizing a spring 2018 grizzly bear information session with Steve Rochetta, FLNRO Ecosystem Biologist.

**RMOW- Bear
Smart
Program Assistant**

A presentation by A. Paris was given regarding the Bear Smart Program Assistant's activities and a discussion was held.

- Working with Whistler Blackcomb Waste Reduction Specialist, T. Hamilton
- Real estate agencies are interested in having information in their new owner packages
- Fairmont is slowly working through the Bear Smart Restaurant Program, difficulties with shoulder season vacations
- RMOW Food Truck Program vendors will receive the Bear Smart Restaurant Program training in Spring 2018
- Critter Gitters and Scarecrows will be made available on loan at the Whistler Library in 2018. Option to provide electric fences will be investigated by P. Kindree
- Recommendation by WBAC members to re-install bear information signs in day lots. COS reviewing potential locations according to bear encounter frequencies. Will need to match RMOW wayfinding sign template and program.
- T. Lunn raised idea to install digital screens in day lot stairwells. Opportunity for collaboration and an efficient way to convey multiple messages quickly: bears, highway status, lift line status

R. Knapton left at 9:29am

- Discussed potential for Village Host program to expand to parking lots in summer to assist tourists
- Whistler Transit pilot program for transporting compost, recyclables and waste on buses was launched November 18. RMOW will support with communications and follow up with Lisa Trotter on program. Problems will be monitored, not successes.

ACTION: S. Gravel and T. Lunn provide day lot bear information sign location recommendations and rationale.

ACTION: A. Paris contact RMOW Communications about transit changes end of November.

ACTION PLAN 2018

- Parking lot signs program
- Construction bin program
- Re-engage with bear viewing companies and provide education for guides.

- Callaghan road hunting regulation change
- Plan for reaching hotel concierge more effectively with bear information, more than the bi-weekly village host updates
- Communications focus on message for locals to call early

S. Gravel and A. DeJong left at 10:06 am

- Environmental Coordinator will be taking over as WBAC co-chair for H. Beresford in 2018
- RMOW organizing a local government bear management symposium for spring 2018.
- T. Lunn suggested making a bear management presentation at 2018 Licence Inspectors' and Bylaw Officers' Association of BC zone meeting or annual conference

ACTIONS:

- H. Beresford contact Get Bear Smart Society to determine gaps in program delivery now that GBS not active in Whistler.
- Update BSPA work plan and bear management communications plan for 2018. Add to December agenda.
- Review draft local government bear management symposium agenda at December meeting.

ADJOURNMENT

Moved by S. Gravel

That the Whistler Bear Advisory Committee adjourn the November 8, 2017 Council meeting at 10:30 a.m.

CARRIED

CO-CHAIR: H. Beresford

RESORT MUNICIPALITY OF WHISTLER

**ZONING AMENDMENT BYLAW (CANNABIS RETAIL, PRODUCTION AND DISTRIBUTION) NO. 2159,
2017**

**A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER “ZONING AND PARKING
BYLAW NO. 303, 2015”**

WHEREAS the Council may in a zoning bylaw pursuant to the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, and regulate the use of land, buildings and structures within the zones;

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

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Cannabis Production and Distribution) No. 2159, 2017”.

2. “Zoning and Parking Bylaw No. 303, 2015” is amended:

(a) In subsection (1) of “Part 2, Interpretation”, by deleting the definition of “marihuana production” and “marihuana distribution”, and inserting the following new definition in the appropriate alphabetic order:

“cannabis” means a cannabis plant including:

- (1) Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (2) Any substance or mixture of substances that contains or has on it any part of such a plant; and
- (3) Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

but does not include:

- (1) A non-viable seed of a cannabis plant;
- (2) A mature stalk, without any leaf, flower, seed or branch, of such a plant;
- (3) Fibre derived from a stalk referred to in item 2; and
- (4) The root or any part of the root of such a plant.

(b) In “Part 4, General Prohibitions”, by replacing subsection 1. (8) with the following text:

“No person shall use any land or building for the retail sale of cannabis, and except as specifically permitted by this Bylaw no person shall use any land or building for the production or distribution of cannabis.”

and;

(c) By replacing subsection 2. (2)(t) of “Part 10, Industrial Zones” with the following:

“on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, production and distribution of cannabis, but only to the extent authorized by a federal licence if a federal licence is required, and provided that: the total floor area used for all such uses shall not exceed 900 square

Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017

metres; the distribution of cannabis is limited to cannabis produced on the premises; and the retail sale of cannabis is prohibited.”

GIVEN FIRST and SECOND READING this ___ day of _____, 2018.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this ___ day of _____, 2018.

GIVEN THIRD READING this ___ day of _____, 2018

Approved by the Minister of Transportation and Infrastructure this ___ day of _____, 2018.

ADOPTED by the Council this ___ day of _____, 2018.

Nancy Wilhelm-Morden,
Mayor

Brooke Browning,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of
“Zoning Amendment Bylaw (Cannabis Retail,
Production and Distribution) No. 2159, 2017”

Brooke Browning,
Municipal Clerk



Office of the Mayor

2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6

Tel (778) 797.2210 Fax (778) 797.1001

December 13, 2017

Dear Local Governments of British Columbia,

With cannabis sales becoming legal in 2018, there must be a formal agreement that will divide the tax revenue on cannabis sales in a fair and equitable manner. Current discussions regarding revenue sharing involve the Federal and Provincial governments with no inclusion of local governments. Ultimately, the legalization will entail additional costs for local governments both in social and policing costs. A Federation of Canadian Municipalities (FCM) paper is stating that the impact may affect policing, fire services, building codes, city planning, municipal licensing and standards, public health, social services, communications, law, etc.

City of West Kelowna Mayor and Council is requesting your support, by writing to the Province to lobby them to agree to 50% of the provincial share of the cannabis tax sharing formula be provided to local governments. This is an adequate and equitable share to help support costs and services incurred by local governments.

Thank you for your consideration.

Sincerely, on behalf of Council,

A handwritten signature in black ink, reading "Doug Findlater", written in a cursive style.

Doug Findlater
Mayor

From: Drew McEwan [<mailto:cabaoke@gmail.com>]
Sent: Friday, December 22, 2017 00:26
To: Mayor's Office <mayorsoffice@whistler.ca>
Cc: info@piquenewsmagazine.ca
Subject: open letter to Mayor and council

Dear Mayor and Council,

Whistler has a housing problem masquerading as a staffing problem. Please let me forestall the usual sentiments. This is not the “usual” problem that so many people like to say, “Will work itself out.”

Airbnb has already removed 300 to 400 beds. In addition, the teardown and rebuilding of some 70 to 80 homes, accounting for another 200 to 300 beds, is being done by people wealthy enough that they neither need nor want strangers in their homes. I have no problem with either of these things, and I firmly believe home owners have the right to do what they want with their homes.

Airbnb provides a great service, allowing more visitors to enjoy the Whistler experience, and owners to maximize their earnings potential without feeling as though they’re expected to run rooming houses. This is a benefit to the community and several levels of government.

Furthermore, the renovation of older, rental properties into high-end vacation homes, which are often only lived in for a few weeks a year, is good for Whistler.

Construction jobs are provided during the renovation, and afterwards the home values, and the property taxes generated, are definitely good for the municipal government — and very few services have to be provided in return.

The problem is the type of workforce we need to be able to attract and house; meaning a transient workforce. Under-staffing has become endemic, and many of you are seeing this already through longer waits and poorer service. It isn’t for lack of interested potential staff, it’s simply that there is nowhere for them to live. Now this is where many people say the Whistler Housing Authority (WHA) is dealing with it. I disagree.

The WHA has a simple mandate: To provide reasonably priced housing to permanent residents of Whistler. But there are many people who have been here for years and who plan to stay if they can find affordable, permanent housing. This is the group I want to help, but it would be by providing them with enough support staff that they can keep living their economically challenging, but enjoyable, lives here while they wait for their WHA placement.

You see, the real pain is the difficulty that seasonal support staff has in finding housing. Permanent staff and seasonal staff alike make this town tick, and they are being worked to the bone because they don’t have enough coworkers. It’s not even the busy season yet and everyone I know is already exhausted!

The usual rest and recuperation period that we call the dead season has been reduced to a couple of weeks, and the crucial component of our SOP are, literally, being left out in the cold. I cannot overemphasize their importance!

Seasonal workers provide much-needed labour, and leave a relatively small footprint, as they are usually quite happy with a bedroom to themselves. But these days they’re lucky to find a bedroom that they

have to share with three or more people. I personally know of more than a dozen people who have left after a month of working their tails off and fruitlessly trying to find somewhere to stay.

If you want to get a cab in the classic Whistler fashion, meaning in less than an hour (and please don't say Uber because where will they live?), or if you hope to have a pleasant and efficient server at your next meal, or even a cooperative grocery-store clerk, we need the residents and regulators to get out of the way of businesses and let us deal with the problem. Temporary staff housing, organized and operated by local businesses, is the only solution that provides the necessary flexibility to accommodate the required beds without upsetting the delicate balance that supports our incredibly important housing market. I have that solution. I have equipment sourced and support from more than a dozen businesses (which only accounts for about 20 per cent of the need).

I have discussed it with some municipal councillors that agree this is the time for some progressive change. All I need is regulatory support and the support of one particular landowner (who for now, out of respect, shall remain nameless). It takes years to build the reputation we have here in Whistler but it will take less time than one can imagine to destroy it.

I would like to ask the councillors, municipal staff and residents to allow Whistler to do what we do best: Use our innovative and creative spirit to pursue a solution that makes us shine on the world stage, and continue to set the bar as high as our snow-kissed peaks.

Drew McEwan
19-3262 Archibald Way,
Whistler, B.C., V0N 1B3