

# WHISTLER

## AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL  
TUESDAY, APRIL 11, 2017 STARTING AT 6:00 P.M.**

**In the Franz Wilhelmssen Theatre at Maury Young Arts Centre - Formerly  
Millennium Place  
4335 Blackcomb Way, Whistler, BC V0N 1B4**

This Public Hearing is convened pursuant to Section 464 of the *Local Government Act R.S.B.C. 2015, c.1* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) No. 2129, 2017" (the "proposed Bylaw").

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

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

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

As stated in the Notice of Public Hearing,

Zoning Amendment  
Bylaw (Maury Young  
Arts Centre and  
Institution and Assembly  
Uses in the LNI Zone)  
No. 2129, 2017

**PURPOSE OF ZONING AMENDMENT BYLAW (Maury Young Arts Centre  
and Institution and Assembly Uses in the LNI Zone) No. 2129, 2017**

In general terms, the purpose of the proposed Bylaw is to amend the Lands North Institutional Zone to add "assembly" and "institution" as permitted uses in the LNI zone and to limit the scale of auxiliary retail in conjunction with a recreation and arts facility to 165 square meters.

Submissions

Submissions by any persons concerning the proposed Bylaw.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

**ADJOURNMENT**

## PUBLIC HEARING DOCUMENT INDEX

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THE RESORT MUNICIPALITY OF WHISTLER  
4325 Blackcomb Way TEL 604 932 5535  
Whistler, BC Canada V0N 1B4 TF 1 866 932 5535  
[www.whistler.ca](http://www.whistler.ca) FAX 604 932 8109

## NOTICE OF PUBLIC HEARING

**TUESDAY, APRIL 11, 2017 – 6:00 P.M.**

MAURY YOUNG ARTS CENTRE (formerly MILLENNIUM PLACE)  
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

### **Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) No. 2129, 2017**

**SUBJECT LANDS: All Properties Zoned Lands North Institutional (LNI) more specifically described as:**

4325 BLACKCOMB WAY	BLOCK A DISTRICT LOT 4891 NEW WESTMINSTER DISTRICT GROUP 1, EP LMP222 LMP224 LMP221 LMP226 LMP4763 LMP5302 LMP5520.
4325 BLACKCOMB WAY	DISTRICT LOT 4559 GROUP 1 PLAN LMP219 LOT 1 DISTRICT LOT 5028 NEW WESTMINSTER DISTRICT.
4365 BLACKCOMB WAY	GROUP 1, EXCEPT PLAN LMP6463, & DL 5275, EP'S LMP222 LMP224 LMP221 LMP226 LMP4764 LMP5302 LMP5532.
4339 MAIN ST	PLAN LMP219 LOT 21 DISTRICT LOT 5275 GROUP 1 EP LMP4764 LMP5302 LMP5520 .
4380 LORIMER RD	PLAN LMP6463 LOT 34 DISTRICT LOT 5028 NEW WESTMINSTER DISTRICT GROUP 1, & DL 5275.
4380 LORIMER RD	PLAN LMP6463 LOT 34 DISTRICT LOT 5028 NEW WESTMINSTER DISTRICT GROUP 1, & DL 5275.
4335 BLACKCOMB WAY	PLAN LMP45641 DISTRICT LOT 5028 GROUP 1 PARCEL 1, GROUP 1, & DL 5275.

### **PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to amend the Lands North Institutional Zone to add “assembly” and “institution” as permitted uses in the LNI zone and to limit the scale of auxiliary retail in conjunction with a recreation and arts facility to 165 square meters.

### **INSPECTION OF DOCUMENTS:**

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

### **PUBLIC PARTICIPATION:**

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

Written comments must be addressed to “Mayor and Council”, and may be submitted prior to the public hearing (by 4:30 p.m. on April 11, 2017):

**Email:** [corporate@whistler.ca](mailto:corporate@whistler.ca)  
**Fax:** 604-935-8109  
**Hard Copy:** Legislative Services Department  
4325 Blackcomb Way  
Whistler BC V0N 1B4

Submissions received for the proposed Bylaw will be included in the information package for Council's consideration, which will also be available on our website at [www.whistler.ca](http://www.whistler.ca) with other associated information.

At the conclusion of this Public Hearing, no further information on this topic can be considered by Council.

### Subject Lands: LNI Zoned Properties

**RESORT MUNICIPALITY OF WHISTLER**  
**Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses**  
**in the LNI Zone) 2129, 2017**

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

**WHEREAS** Council may in a zoning bylaw pursuant to the *Local Government Act*, divide the whole or part of the municipality into zones, and regulate within a zone, the use of land buildings and other structures, the density of the use of land buildings and other structures, the siting size and dimensions of uses that are permitted on the land and the location of uses on the land and within buildings and other structures;

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

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017".
2. Zoning and Parking Bylaw No. 303, 2015 is amended by:
  - (a) adding "assembly" and "institution" to the list of permitted uses in the LNI Zone under subsection 21 (1) of Part 17; and
  - (b) immediately after subsection 21 (2) of Part 17, adding the heading "Other Regulations" and the following text to be numbered subsection 21 (3):

"The maximum floor area for retail sales auxiliary to a recreation and arts facility use is 165 square metres."

Given first and second readings this 21st day of March, 2017.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Given third reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Approved by the Minister of Transportation this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Adopted by the Council this \_\_\_\_ day of \_\_\_\_\_ 2017.

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

\_\_\_\_\_  
Laurie Anne Schimek,  
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of  
Zoning Amendment Bylaw (Institution and Assembly  
Uses in the LNI Zone) 2129, 2017.

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Laurie Anne Schimek,  
Municipal Clerk

DRAFT



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** March 21, 2017  
**FROM:** Resort Experience  
**SUBJECT:** RZ1122-MAURY YOUNG ARTS CENTRE AND LANDS NORTH  
INSTITUTIONAL (LNI) ZONE AMENDMENTS

**REPORT:** 17-026  
**FILE:** RZ 1122

### 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 (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017; and,

**That** Council authorize staff to schedule a public hearing for Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017 and to advertise for the same in a local newspaper.

### REFERENCES

Administrative Report –15-139: Council Report from November 17<sup>th</sup>, 2015 (Not attached)

Appendices: A – Arts Whistler Consultation Summary

### PURPOSE OF REPORT

This report recommends that Council consider giving first and second readings to Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017. The proposed bylaw adds “institution” and “assembly” as permitted uses in the Lands North Institutional (LNI) zone. The LNI zone applies to the Maury Young Arts Centre (MYAC) and four other municipally-owned properties in Village North. The proposed zoning amendments will provide clarification of zoning for community-serving, public and institutional uses in the LNI zone and further implement the recommendations of the Community Cultural Plan by explicitly recognizing arts facility as a permitted use and permitting auxiliary retail sales of local artwork in MYAC.

### DISCUSSION

#### Background

The proposed zoning amendment has been prepared for Council consideration as part of the implementation process for the Community Cultural Plan. The following provides a summary of the consultation and bylaw development process, followed by a description of the existing bylaw framework and proposed bylaw amendments.



### Whistler Community Cultural Plan

On September 3rd 2013, Council received the Community Cultural Plan which contained 31 recommendations to promote arts, heritage and culture in Whistler. There were a number of recommendations related to supporting local artists and opportunities to showcase and sell their work, as follows:

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

These recommendations were brought forward collectively as a single initiative that focused on three specific opportunities for showcasing local artists: 1) Artist and Artisan Markets, 2) 2) Home-based Artist Studios, and 3) Community Cultural Facilities. These were all similar in nature and each required municipal policy/regulatory changes to implement.

In 2015, together with Whistler Arts Council (now Arts Whistler), staff undertook a comprehensive engagement process that focused on these three opportunities and involved workshops sessions with key stakeholders including representatives from Whistler's arts community, local artists and commercial galleries and arts-related businesses. The process undertaken, and the ideas, understandings and guiding principles developed through these sessions were summarized in Administrative Report to Council No. 15-139, November 17, 2015. In general, the engagement process revealed that there was general support to proceed with policy/bylaw changes to implement each of the three opportunities, with an underlying expectation that changes would focus on supporting local emerging artists in an equitable manner that took into consideration the interests of private sector businesses including the commercial galleries.

The Artist and Artisan Market, and Home-based studio opportunities have been implemented and this report addresses the third opportunity, showcasing and allowing sales of local artist works in Community Cultural Facilities. The focus is to implement zoning changes to clarify this use for Maury Young Arts Centre, the home of Arts Whistler and the community's 'hub' for local arts and culture.

Prior to introducing the proposed bylaw amendments Arts Whistler has undertaken additional consultation with local commercial art galleries. The purpose of this consultation was to clarify the nature and extent of sales activities and mitigate any potential concerns. This included an understanding that retail sales would be limited as an auxiliary use and that the operating model would be focused on showcasing and providing opportunities for local emerging artists that would not compete with the commercial galleries. This further consultation, along with Arts Whistler's proposed 'conditions of product offerings' and letters of support, is summarized in a memo from Arts Whistler, and included in this report as Appendix "A".

### Current Use of MYAC

The Maury Young Arts Centre is owned by the RMOW and leased to Arts Whistler for its operations including its offices, a foyer gift shop, theatre and public gallery. The primary use of MYAC is as an arts facility, and as identified as above, the intent is for MYAC to serve as the community's 'hub' for arts and culture.

Approximately 165 square meters (1,776 square feet) of MYAC, 10% of the total floor area, is used to showcase local artwork and artisan crafts with limited sales. This space is comprised of two distinct areas referred to as the “gallery” and the “gift shop”. The gallery is a 100-square meter (1,076 square foot) space located in the upper foyer of MYAC and is mainly used as exhibition space for 10-12 exhibits per year. It also services as the reception and foyer for various community events, and group “assemblies” and programming in the Franz Wilhelmsen theatre. Although some sales do occur in the gallery, its primary purpose is as a public gallery to showcase local emerging artists and to provide space for locally-themed arts programming and events. The gift shop is located on the ground floor foyer of MYAC and is approximately 65 square meters (700 square feet) in size. The gift shop was created in response to requests from local artists for display space to sell their work. Pieces sold from the gift shop are typically priced between \$50-500 with annual sales revenue totalling approximately \$8,000. This equates to approximately 0.5% of Arts Whistler’s total budget. From a zoning perspective, the gallery and gift shop are considered complementary, and incidental to the MYAC facility, making them “auxiliary” to the principal use of the property as an arts facility. This is consistent with the stakeholder consultations and the proposed “conditions of product offerings.”

### MYAC Zoning and Regulatory Considerations

MYAC is zoned Lands North Institutional (LNI). The LNI zone permits a wide range of community-serving public, recreational, institutional and civic uses. The permitted uses specified are those that were envisioned at the time the property, along with other “amenity lands” that were also zoned LNI were transferred to the RMOW by the Province in 1991 as part of the Whistler Village expansion and “Lands North” master plan. The current uses of the property are considered to be in keeping with the nature of the uses permitted under existing zoning, however, under the zoning bylaw only those uses that are specified are expressly permitted and the specified uses do not adequately address the existing and proposed uses associated with MYAC and the sale of works from local artists.

To clearly provide for these uses, the proposed zoning amendment bylaw amends the LNI zone to add “institution” and “assembly” as permitted uses, as described below.

In addition, there is a covenant registered on the property in favour of the province that corresponds with the existing zoning. Staff have discussed the terms of the covenant with the Province and anticipate that amending the covenant will not be required as the proposed uses are in keeping with the uses envisioned when the property was transferred to the RMOW.

### **Zoning Amendment Bylaw**

The proposed zoning amendment bylaw will provide clarification of permitted uses for the LNI zone by adding “institution” and “assembly” as permitted uses. These uses are already defined in the zoning bylaw:

**“institution”** means a college, court of law, community centre, recreation and arts facility, federal, provincial and municipal building, fire hall, jail and prison, library, museum, public hospital, and public school.

**“assembly”** means a gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, education, recreation and philanthropy in a building.

The uses permitted under “institution” provide a wider range of uses than currently permitted in the LNI zone, including “arts facility”, and the term “assembly” will explicitly provide for the wide range of

programming taking place in MYAC. As the LNI zone already allows “auxiliary uses”, the retail sales of artwork in the MYAC “gallery” and “gift shop” will be permitted as an auxiliary use to “arts facility”.

The proposed zoning amendment bylaw also limits the scale of auxiliary retail in conjunction with a recreation and arts facility to 165 square meters, which is equivalent to the combined area of the existing gallery and gift shop. By accommodating existing MYAC operations with modifications to an existing “institutional” zone, and limiting retail sales to the gallery and gift shop areas, the zoning framework clearly establishes civic uses as the principal use of the site.

There are also four other properties zoned LNI to which the zoning amendment bylaw will apply, all of which are located in Whistler Village:

1. The Whistler Health Care Centre.
2. “Lot 21” (a small parcel of land adjacent to the Whistler Public Library in Florence Peterson Park).
3. Municipal Hall.
4. “Lot 1” (one of several lots that make up Whistler Olympic Plaza).

All the above properties are owned, in whole or in part, by the RMOW<sup>1</sup>. For consistency and administrative reasons, applying the amendments to the entire LNI zone is recommended rather than creating a site specific zone for MYAC. Given RMOW ownership of these properties, staff is not concerned that the addition of “institution” and “assembly” may allow for some additional uses that may not be contemplated for these properties.

### **Covenant BE49900**

As noted above staff is seeking confirmation from the Province that the proposed amendments are consistent with the terms of covenant BE49900 and that no amendments to the covenant will be required. In the unlikely event the Province does require a covenant amendment, the amendment can be brought forward for Council consideration at a later date.

### **WHISTLER 2020 ANALYSIS**

<b>W2020 Strategy</b>	<b>TOWARD Descriptions of success that resolution moves us toward</b>	<b>Comments</b>
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a health business mix.	Local and emerging artists will benefit from the proposed bylaw and this will contribute to the resort community's cultural development and offering and its contribution to the local economy.
Visitor Experience	Whistler proactively anticipates market trends.	The Community Cultural Plan and the EPI recognized arts and cultural offerings as key components of Whistler's economic diversification strategy. Implementing these recommendations is a proactive step into emerging markets.

<sup>1</sup> The Whistler Health Care Centre is owned jointly by the RMOW and the Whistler Health Care Foundation. The RMOW is the sole owner of all other LNI-zoned properties.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
None		

## OTHER POLICY CONSIDERATIONS

Section 4.13 of Official Community Plan Bylaw 1021 1993, outlines criteria for considering zoning amendments. The table below provides a summary of these criteria in relation to the proposed bylaw.

OCP Criteria	Comments
Proposals that increase the bed unit capacity of the municipality will only be considered if the development: provides clear and substantial benefits to the resort; is supported by the community in the opinion of Council; will not cause unacceptable impacts on the community, resort or environment; and meets all applicable criteria set out in the OCP.	n/a
Capable of being served by Municipal water, sewer and fire protection services.	Yes. All LNI zoned properties are located in areas with sewer, water and fire protection services.
Accessible via the local road system.	Yes. All LNI properties are located within Whistler Village.
Environmental Impact Assessment/Initial Environmental Review	N/A. No new development is proposed in conjunction with the zoning amendment bylaw.
Traffic volumes and patterns on Highway 99 and the local road system.	No significant increase in traffic volumes is anticipated. The amendment bylaw must be approved by the Ministry of Transportation and Infrastructure (MOTI) prior to adoption.
Overall patterns of development of the community and resort	Consistent with the OCP Policy 4.5.3 - Cultural facilities should be located primarily in the Whistler Village, Blackcomb and Whistler Creek areas, and in conjunction with other community facilities. All properties zoned LNI are located in Whistler Village.
Municipal Finance	Refer to the Budget Considerations section of this report.
Views and Scenery	n/a
Existing Community and Recreation Facilities	No anticipated impacts.
Employee Housing	Employee works and service charges are not payable.
Heritage Resources	n/a
The project must exhibit high standards of design, landscaping and environmental sensitivity.	No development is proposed with the zoning amendment bylaw.
The project will not negatively affect surrounding areas by generating excessive noise or odours.	No negative effects are anticipated.
The project maintains high standards of quality and appearance.	No development is proposed with the rezoning. Any future development of the site will require a development permit adhering to the DP guidelines for form and character.
No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	No impacts.

## **BUDGET CONSIDERATIONS**

This rezoning is a municipal initiative and part of the 2016/17 Planning Department work program. All costs of preparing the bylaw and required public notifications are provided for under the existing Planning Department budget.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

As described in the Background section of this report, there has been a comprehensive community engagement and consultation process that has been conducted prior to bringing the proposed zoning amendment bylaw forward for Council consideration. This has included community consultation occurring through the development of the Community Cultural Plan; the initial engagement process related to implementing the recommendations related to supporting opportunities for local artists to showcase and sell their work; and more recently the outreach and consultation conducted by Arts Whistler relating to gallery and gift shop sales at MYAC. Further details of the outreach conducted by Arts Whistler, along with Arts Whistler's proposed 'conditions of product offerings' and letters of support, is summarized in the memo from Arts Whistler in Appendix "A".

In addition, a public hearing is required prior to any consideration of adoption of the zoning amendment bylaw, as required by the *Local Government Act*.

## **SUMMARY**

The proposed zoning amendment bylaw will clarify zoning for existing community serving public and institutional uses in the LNI zone and legitimize limited retail sales of art from MYAC. The latter is a desired outcome of the Community Cultural Plan, providing opportunities for local artists to develop and showcase their work. Overall the proposed zoning amendment bylaw is consistent with Whistler 2020, the Official Community Plan and the outcomes of the public engagement process that has been undertaken. Subsequently staff recommend that Council give first and second readings to the proposed zoning amendment bylaw and authorize staff to schedule a public hearing.

Respectfully submitted,

Jake Belobaba, Senior Planner  
for  
Jan Jansen  
GENERAL MANAGER OF RESORT EXPERIENCE



**MEMO: Rezoning The Gift Shop and Gallery Space at Maury Young Arts Centre**

**To:** John Rae, RMOW  
**C.c.:** Jan Jansen, Mike Kirkegaard, Jake Belobaba, RMOW  
**From:** Maureen Douglas, Executive Director, Arts Whistler  
**Date:** February 2, 2017

**Background:**

Arts Whistler is requesting a rezoning of The Gallery and The Gift Shop (to be renamed Artisan Shop) in the Maury Young Arts Centre to enable us to sell local and regional artist and artisan products under the correct zoning. Prior to 2010, the building, then operating as Maurice Young Millennium Place, had a primary role as an interfaith place of worship for the Whistler community. As such, product sales were not anticipated when the building zoning was established. But now that the building operates as the Maury Young Arts Centre – a hub for arts, culture, and heritage activities – one of our service offerings is the sale of local artisan works. In order to operate this function successfully, a change to the original zoning of the building is required.

**Arts Whistler and the Maury Young Arts Centre:**

Arts Whistler assumed management of the municipally owned Maury Young Art Centre (MYAC) in 2010. As the lead agency for implementing arts, culture, and heritage (ACH) strategies identified in the Whistler 2020 action strategy, Arts Whistler agreed to help achieve the goal of making MYAC a significant community hub for ACH. Over the past six years, much progress has been made in achieving this goal, including theatrical productions, workshops, exhibits in The Gallery, and sale of artwork made by local and regional artists in The Gift Shop – all of which has increased public engagement in the building and generated a sense of community pride.

**Working to Deliver Whistler's ACH Objectives:**

Arts Whistler's efforts to make MYAC an exhibition and sales space for local artists and artisans has been driven by several recommendations of the **Whistler Cultural Plan (WCP)**, including:

- Provide opportunities for local emerging artists to develop and showcase their craft,
- Ensure that local artists have opportunities to generate income from their work,
- Create a more visible community art gallery featuring Sea to Sky artists, and
- Implement the infrastructure recommendations in the "Vision and Programming Plan for Millennium Place" over the next 10 years.

Additionally, the **Cultural Tourism Development Strategy (CTDS)** identified that:

- Cultural tourists value and seek shopping options – especially boutique shopping experiences that feature local and regional artists and craft persons.
- According to research, 87% of passionate cultural travelers like to take home "local and regional memorabilia" from the destination they visit.
- The CTDS recommended a strategy to showcase local and regional artists and artisanal products in the Village.
- The **2016 RMOW Corporate Plan** supports ongoing development of the Cultural Connector (of which three venues have gift shops), and continued implementation of WCP and CTDS recommendations.



### **Models Elsewhere:**

Across Canada, the majority of community cultural centres have gift shops that support the mission of the organization. In B.C., notable examples include:

- **Surrey Arts Centre** has a Gift Shop operated by the non-profit Surrey Art Gallery Association, which offers a selection of unique and finely crafted artworks by artists and raises funds to support the Surrey Art Gallery.
- **The Gallery Store in the Vancouver Art Gallery** is considered to be one of Vancouver's greatest treasures, featuring a uniquely Canadian selection of contemporary art merchandise, including a substantial online store. Proceeds support Vancouver Art Gallery operations.
- **The Gallery Store in the Nanaimo Art Gallery** sells work by Canadian and Vancouver Island artists and designers with a focus on one-of-a-kind handmade creations. Proceeds support local artists and Art Gallery programs.

### **Models in Whistler:**

In Whistler, gift shops are permitted in other not-for-profit and/or charitable ACH ventures – specifically Audain Art Museum, the Whistler Museum, and the Squamish Lil'wat Cultural Centre. MYAC is the only cultural facility that does not have appropriate zoning to permit sale of artwork and artisan goods.

### **Public Consultations:**

#### **2015**

In 2015, the Municipality held a series of public consultations that focused on permitting sales of locally made artwork, specifically from home-based art studios, from a potential new artisan market, and from community cultural facilities. The resulting consensus was that the commercial sector was not opposed to sales from home studios, that an artisan market would be a valued attraction, and that a community art gallery (including auxiliary sales) was an important element of Whistler's overall cultural mix. All three potential sales venues would help support emerging local artists, particularly those whose work is not easily marketable through traditional retail outlets. It was recognized that the type of work sold in the Gift Shop was distinctly different, both in nature and price, from work sold in commercial galleries and that the focus on "locally hand-made work" provides a unique visitor experience not available elsewhere. A summary of these public consultations was included in an administrative report to Council on November 17, 2015.

#### **2017**

In early 2017, Arts Whistler staff met with the art gallery community to request letters of support for our Gift Shop rezoning request. Attached to this document you will find letters of support from the majority of art gallery operators. There are one or two who did not respond to our request for a meeting or letter of support. There are currently 12 art galleries and/or gift shops operating in Whistler (not including the Maury Young Arts Centre). We have provided letters of support from nine of them. This majority of support is, in part, a demonstration of the collaborative approach that Arts Whistler has taken over the past year to forge a more actively supportive relationship with the art gallery community. With our enhanced and revitalized marketing tools, we have provided extensive promotion for art galleries (through Arts Scene, website, weekly advertising, and special events) in an effort to increase local and visitor engagement with the galleries.

In our recent meetings with commercial art galleries, the art gallery operators have expressed their understanding of Arts Whistler's role in fostering emerging local and regional artists. They recognize that Arts Whistler's Gallery and Gift Shop play an important role in giving artists a forum in which to develop their professional potential. We are in discussions with the art gallery community to assist us with a professional development series for artists interested in learning how to make the leap from community gallery and gift shop exhibitor to the world of fully professional art gallery exhibition and representation.



### **Purpose of the Gallery and Gift Shop in MYAC:**

Like most community art galleries, The Gallery and Gift Shop in MYAC are operated by a non-profit society, in this case Arts Whistler, which retains 20-30% of sales to support ongoing programs and activities that further its charitable purposes and strategic priorities, including:

- Supporting the development and creative expression of Whistler's artists and groups,
- Fostering rich and diverse cultural offerings,
- Growing the contribution of arts, culture, and heritage to the resort economy, and
- Strengthening its organizational capacity.

By contrast, Whistler's nine commercial art galleries are for-profit, privately owned businesses that operate in an extremely competitive, and potentially profitable market. Both share a common goal of attracting a greater number of visitors and potential art purchasers. Towards this end, there are many opportunities for collaborative marketing and programming, as evidenced by the new "Culture Maps" that include both commercial and non-profit galleries.

**The Gallery** is a 1,076 sq. ft. space located in the upper foyer of MYAC, representing Whistler's only community art gallery. It typically stages 10-12 exhibits per year, with 800+ people attending opening receptions throughout 2015. There is an online application process, and shows are determined based on their relevance, range of work, and potential for community dialogue. While some sales do occur in the Gallery (average price of \$400, with occasional pieces over \$1,000) this is not the Gallery's primary purpose, which is to:

1. Showcase the diverse work of emerging regional artists (including youth and First Nations), as well as some professional artists, typically not represented by commercial galleries in Whistler,
2. Provide opportunities for the public to interact with regional artists who gain inspiration from the community in which they reside,
3. Collaborate with other community groups in bringing attention to common issues of concern (e.g. Whistler Museum, Bear Aware, Whistler Secondary, Whistler Community Services Society),
4. Connect with other community art galleries and provide opportunities for exchange exhibits, thereby providing local artists with exposure outside of Whistler,
5. Engage residents and visitors in an ongoing dialogue about issues and ideas that affect our community, country, and world, through the medium of artistic interpretation, e.g.
  - "Unordinary Lives", a photography exhibition of people daily life in war-torn Afghanistan,
  - "Sacred Headwaters", publicizing a critical issue and support for the well-being of BC's important headwaters,
  - "History of Mountain Biking", profiling the trails, terrain, talent, and passion that makes mountain biking in Whistler special, and
  - "40 Years, 40 Stories", sharing anecdotes and important moments from Whistler's history, celebrating the 40<sup>th</sup> anniversary of the Resort Municipality.

**The Gift Shop** is located on the ground floor foyer of MYAC, which is approximately 700 sq. ft. It was started in response to requests from the artist community to provide display space to support local artisans in selling their work and to build Arts Whistler membership in Whistler's creative community. Featured work must be hand-made by local or regional artists, reflecting original ideas of the artist, and must be well designed and skillfully finished. Typically, participating artists have been previously juried as part of a related program, such as ArtWalk or the Holiday Market. The Gift Shop provides a platform to showcase the depth and breadth of local artists, whose work would otherwise be hard to find throughout the Valley.





The average price of individual items is \$50, but some pieces are valued over \$500. The Gift Shop's sales in 2015 were slightly over \$8,000, an increase of 18% over 2014, and while this provided much-needed income and motivation to local artists, it represents less than 0.5% of Arts Whistler's total budget. However, these extremely modest sales are in part due to the zoning limitations currently impacting The Gift Shop. Due to the present zoning restrictions, we do not actively market our local artisans or The Gift Shop, which has severely limited the artists' sales potential.

Together, The Gallery and The Gift Shop represent approximately 10% of the total square footage of MYAC (see attached floor plan). On occasion, The Gallery also exhibits in The Gift Shop space. Both are multi-purpose spaces, serving as the theatre foyer — hosting receptions, weddings, and meetings. The Gift Shop in particular serves as the general reception area for the Arts Centre, as well as a one-stop information centre for arts and culture activities throughout the resort.

#### **Arts Whistler's Conditions of Product Offerings:**

1. Work must be locally made (Sea to Sky region) artisan or artistic works. Most featured artists have been juried in an Arts Whistler program. Occasionally, regional or further afield artists are part of a Gallery exhibition with work for sale. This is work that would normally not be featured in Whistler's commercial art galleries.
2. The price on works in The Gift Shop normally ranges from \$40 to \$500.
3. The price on works in The Gallery normally ranges from \$400 to \$1,500. Some exceptions apply such as during ArtWalk, when experienced and established Sea to Sky artists participate in this important Whistler visual showcase, helping to elevate the visibility of emerging artists.
4. With respect to artists engaged with other galleries, Arts Whistler's artists' contract for The Gallery includes a statement indicating that all artists are responsible for upholding their contractual agreements with any other venues showcasing their work and it is at Arts Whistler's discretion to remove work if notified by a venue that the artist is in breach of contract by exhibiting works with us.

#### **Rezoning Request to the RMOW:**

Based on recommendations of the WCP and CTDS, and on the results of public consultations, Arts Whistler requests that the existing covenant restricting commercial sales in the Maury Young Art Centre be removed and zoning approved to legally permit the sale of local and regional artwork from The Gift Shop and The Gallery.

The following is a summary of the rationale for moving forward with this request:

1. The Gift Shop and The Gallery have been operating since 2010, with virtually no objections from local merchants.
2. Both help promote the careers of local artists and provide authentic and accessible cultural experiences for residents and visitors.
3. Management of both The Gift Shop and The Gallery by Arts Whistler ensures that proceeds from sales are dedicated to making MYAC a true "hub" for ACH.
4. Consultation with the commercial art gallery sector resulted in us receiving majority support for sales in The Gift Shop.
5. In many cases, The Gift Shop is the starting point for exploration of other cultural amenities in Whistler, both commercial and non-profit.
6. Other community and non-profit cultural facilities have zoning that permits sales from gift shops.
7. Gallery exhibits and Gift Shop sales help advance several recommendations of the WCP, CTDS, EPI, and RMOW Corporate Plan.
8. The Cultural Connector, which links Whistler's six key cultural facilities, includes three legal gift shops, each of which is distinctive; therefore our request creates consistency and applies fairness by extending commercial zoning to MYAC.



### **Artist Testimonials on the Importance of the MYAC Gallery and Gift Shop**

#### **Terri Gercovich – Jewelry and Textile Artisan**

"It's so great to have an establishment like Arts Whistler to display, sell, and promote my work. Hand making items takes a lot of work and it can be difficult to find an outlet to showcase your designs. It's important for the artists in Whistler to feel supported by the community and by the visitors to our town. People who visit Arts Whistler have a chance to see for themselves the artistic talent we have in Whistler, and also have the opportunity to take a piece of 'Whistler art' home with them."

#### **Mark Gribbon- Photographer**

"It is great to have a free local gallery where we are able to showcase our work. Since my latest showing at the gallery, I have been asked to display my work in one of the local high end hotels, and as well it has led to a commercial job for the hotel that will surely turn into a recurring client. It is so important for the community to have and nurture venues like The Gallery, because in turn you are nurturing the local artists and the local art scene. A place like The Gallery is usually the first venue that a lot of artists show and giving them a chance to show is so important in the beginning of a career to help them make those connections in the community."

#### **Jocelyn Harris – Jewelry Artisan**

"I am pleased that there is a space dedicated to showcasing work by local artists. Having a space like The Gift Shop available to artists like me, helps to get my work out into the public eye, which allows my client circle to grow. Having my work viewed and hopefully loved, by new people on a regular basis, keeps me in a position to stick with my passion for jewelry design."

#### **Dave Petko – Visual Artist**

"I find The Gallery at the Maury Young Arts Centre to be a huge asset to local artists such as myself as it gives us a professional venue to showcase our work. I have shown at The Gallery in group and solo exhibits over the years and hope to do so again for years to come. The Gallery is a place where the arts loving community of Whistler, and even Pemberton and Squamish can come and view art, purchase art, see a play or a band or a spoken word performance, and have a great night out which doesn't involve going to the bars and dealing with the sort of riff-raff there; all the while supporting culture in Whistler. I feel there is a need for a public gallery in Whistler. Without such a venue we would be showing our fine works of art from our studio apartments and if you have ever rented in Whistler, you would know that is not an option."

#### **Randy Smith – Visual Artist**

"The Gallery has really helped me as an artist because it is pretty much the only free space gallery for artists! As an established artist in the Whistler community with no affiliation to big name galleries in town, The Gallery is extremely helpful! I see The Gallery as a huge asset to the Whistler community! The Gallery's role as the only public art gallery and place for emerging artists to showcase and sell their work is a must and previously in Whistler as a local artist I have struggled to find space to show my art and now I can count on having a place to call home for my work!"

#### **Sean St.Denis - Photographer**

"The Gallery has helped me get great exposure by supplying a space to display my art that I would never have been able to attain on my own. After the *Out of Bounds* event held there, I have been more recognized locally. As an artist I see The Gallery as a huge asset due to its larger reputation as an art center and it alone draws large numbers of people to see art/artists that can't get that kind of spotlight on their own. A public gallery in Whistler is important for the smaller, lesser known artist that can't get recognized on their own. I think visitors who come to Whistler enjoy seeing local talent but as it's very difficult for artists to have their work represented by the larger galleries in town. This is why a public gallery such as The Gallery is so important."



#### **Kathleen Tennock – Ceramic Artist**

"I think The Gift Shop has so much to offer to the community as well as the artist in Whistler that I would be very sad to see its future compromised in any way. In a town where the arts are so active and studio space within the core of the Village is so expensive, a community gift shop and gallery has tremendous value. I have had the opportunity to show my work both in The Gift Shop and at The Gallery at a number of occasions, both as part of a group show and as an individual exhibitor. It has given me great exposure to the local and visiting public and has resulted in a good number of sales both directly and indirectly. The location of The Gallery has the added advantage of combining both the visual and performing arts in one venue and therefore reaching an even greater audience. As a member of the Whistler Pottery Club, The Gift Shop has given our members the opportunity to show in a group setting for added exposure for our club and its emerging artists."

#### **Laurel Terlesky – Visual Artist**

"The Gallery and The Gift Shop are one of the rare spaces reserved for artistic showcasing in Whistler. The Sea to Sky is abundant with artists but limited in spaces for showing work in a professional manner and for artists to showcase a variety of their talents. The Gallery (at the Maury Young Arts Centre) has allowed me to show among other high calibre artists and helped me to grow my patron support.

The Gallery offers a space for community and visitors to socially gather and also offers a space for reflection on ideas presented by artists. Art plays an incredibly important role in education and communication. Having a space dedicated towards this is a foundation that people can return to again and again in order to strengthen our bonds with our neighbours locally and internationally. A public gallery is a crucial place for artists to exhibit. In order to be able to access the community in a more constructive way by engaging on social issues and observations through creativity, artists need to operate outside of the commercial sphere. Having a dedicated space for both local and international artists to make use of would benefit the social community and open spaces for dialogue."

#### **Kate Zessel – Visual Artist**

"I love having my work in the Arts Whistler space. They not only provide artists the opportunity to showcase their work in different spaces and various exhibitions but also gives them a space to sell their work directly from The Gift Shop. Their continuous support of the local artist community is unwavering and allows everyone to enjoy what Whistler has to offer."

#### **Jennifer Zizman – Visual Artist**

As a local Whistler artist I've found The Gallery and The Gift Shop to be a very valuable community asset. It has provided me with a venue to display my artwork to a large population of viewers, including both locals and out of town visitors. As an artist this is both exciting and encouraging. I've created a lot of new artwork specifically because I know I will be showing the work at The Gallery. There are not many public places to properly display fine art in Whistler. There are only a few professional galleries and they cater to specific buyer preferences. As well it can take a very long time to get work shown in a private gallery, which can really dampen an artist's creativity if they feel they have nowhere to show their work to their community. Through showing at The Gallery and having my cards for sale in The Gift Shop, I've met other local artists. These connections always encourage creativity and build the cultural presence. I am very grateful for the opportunities which The Gallery and The Gift Shop has presented to me as both an artist and a member of the Whistler community."

#### **Letters of Support from Whistler's Commercial Art Galleries follow:**



## Arts Whistler – Fostering Collaborative Arts and Culture Success

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**The Gallery and the Artisan Shop** — With the cosmetic lobby upgrades for Arts Whistler's ACH info centre program, we will also be upgrading the presentation quality of the artisan wares area. To that end, we want to familiarize you with the purpose and function of the Gallery and Artisan Shop.

**Purpose** — The Gallery located in the Maury Young Arts Centre is the only community gallery in Whistler. Of the 31 recommendations contained within the Whistler Cultural Plan, several support the importance of an enhanced community art gallery, not just to provide opportunities for local artists to showcase their work, but also as a venue in which diverse collaborations can address social issues through creative expression.

- The work showcased is made up of over 70% Sea to Sky artists (Lions Bay to Lillooet).
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- As the local venue for emerging and mid-level career artists, Arts Whistler also uses The Gallery and Artisan Shop to educate emerging artists and help them to develop their skills.
- The Gallery and Artisan Shop provide an opportunity for the Whistler community to explore and embrace the arts and has the potential to serve as a "feeder gallery" — helping successful local artists transition into professional local commercial galleries.
- With respect to artists engaged with other galleries, The Gallery's artist's contract includes a statement indicating that all artists are responsible for upholding their contractual agreements with any other venues showcasing their work and it is at Arts Whistler's discretion to remove work if notified by a venue that the artist is in breach of a contract.
- The Artisan Shop primarily features local artisan wares such as jewelry, pottery, local artist prints, and textiles, giving local emerging and professional artisans a forum in which to exhibit and sell their creations.

### How Does It Function?

- The Gallery and Artisan Shop are not-for-profit initiatives and earn very modest revenue (approximately \$10,000 in gross annual sales) that is applied to supporting Arts Whistler's many programs.
- 20% commissions received by Arts Whistler go into supporting The Gallery's operations, covering costs such as signage creation, maintenance of the space, staff time to program the art exhibits and equipment.

### When arts and culture thrive we all succeed!

Business: Adele Campbell Gallery  
supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

Signed: [Signature] Print Name: Elizabeth Harris  
 Title: Owner/Operator Email: art@adelecampbell.com Date: Jan. 10/17





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Business: ART JUNCTION

supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre

Signed: \_\_\_\_\_

Print Name: HARVEY LIM

Title: OWNER

Email: info@artjunction.ca

Date: 10 JAN 2017



## Arts Whistler – Fostering Collaborative Arts and Culture Success

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Business: AUDAIN ART MUSEUM

supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre

Signed: [Signature] Print Name: SUZANNE E. GREENING

Title: EXECUTIVE DIRECTOR Email: sgreening@audainartmuseum.com Date: Jan 16, 2017



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**Business:** British Columbian Precious Opal + Jewellery  
supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

**Signed:** Chris Yorke-Hardy **Print Name:** Chris Yorke-Hardy  
**Title:** owner/operator **Email:** opalchris@outlook.com **Date:** 1/24/2017



## Arts Whistler – Fostering Collaborative Arts and Culture Success

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### When arts and culture thrives we all succeed!

Business: CRYSTAL LODGE ART GALLERY  
 supports and/or facilitates access and to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

Signed: \_\_\_\_\_

Print Name: PENNY ETTER

Title: CO-OWNER

email: art@crystalldgeartgallery.com

Jan 11/17

artswhistler.com | info@artswhistler.com | Maury Young Arts Centre, 4335 Blackcomb Way, Whistler, BC, v8w 1b6 | 604.855.3610

Low resolution file sent to Arts Whistler





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**When arts and culture thrive we all succeed!**

**Business:**

*Fathom Stone Art Gallery & classes*

supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

**Signed:**

*Fathom*

**Print Name:**

*Jon G. Fathom*

**Title:**

*owner / Founder*

**Email:**

*whistler@fathomstone.com*

**Date:**

*Jan/25/2017*



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Business: Mountain Galleries at the Fairmont  
supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

Signed: [Signature] Print Name: ELIZABETH PEACOCK

Title: GALLERY MANAGER Email: whistler@mountaingalleries.com Date: Jan 30, 2017



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**Purpose** — The Gallery located in the Maury Young Arts Centre is the only community gallery in Whistler. Of the 31 recommendations contained within the Whistler Cultural Plan, several support the importance of an enhanced community art gallery, not just to provide opportunities for local artists to showcase their work, but also as a venue in which diverse collaborations can address social issues through creative expression.

- The work showcased is made up of over 70% Sea to Sky artists (Lions Bay to Lillooet).
- The Gallery showcases a diverse range of work by emerging regional artists and artisans typically not represented by commercial galleries. The Gallery also hosts artist group exhibits and community collaborations that engage residents and visitors in a dialogue about issues and ideas that affect our community, through the medium of artistic interpretation.
- As the local venue for emerging and mid-level career artists, Arts Whistler also uses The Gallery and Artisan Shop to educate emerging artists and help them to develop their skills.
- The Gallery and Artisan Shop provide an opportunity for the Whistler community to explore and embrace the arts and has the potential to serve as a "feeder gallery" — helping successful local artists transition into professional local commercial galleries.
- With respect to artists engaged with other galleries, The Gallery's artist's contract includes a statement indicating that all artists are responsible for upholding their contractual agreements with any other venues showcasing their work and it is at Arts Whistler's discretion to remove work if notified by a venue that the artist is in breach of a contract.
- The Artisan Shop primarily features local artisan wares such as jewelry, pottery, local artist prints, and textiles, giving local emerging and professional artisans a forum in which to exhibit and sell their creations.

### How Does It Function?

- The Gallery and Artisan Shop are not-for-profit initiatives and earn very modest revenue (approximately \$10,000 in gross annual sales) that is applied to supporting Arts Whistler's many programs.
- 20% commissions received by Arts Whistler go into supporting The Gallery's operations, covering costs such as signage creation, maintenance of the space, staff time to program the art exhibits and equipment.

### When arts and culture thrive we all succeed!

Business: SQUAMISH LIL'WAT CULTURAL CENTRE  
supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

Signed: [Signature] Print Name: BRADY SMITH  
 Title: CEO Email: brady.smith@SLCC.ca Date: 9/13/2017

## Arts Whistler – Fostering Collaborative Arts and Culture Success

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### When arts and culture thrive we all succeed!

Business: Suzanne Johnston Gallery Studio

supports and/or has no objection (circle one) to Arts Whistler's continued operation of The Gallery and Artisan Shop at the Maury Young Arts Centre.

Signed: 

Print Name: Suzanne Johnston

Title: Gallery Owner / Artist

Email: suzannej@whistlerspa.com

Date: January 13, 2017



# RZ1122-MAURY YOUNG ARTS CENTRE AND LANDS NORTH INSTITUTIONAL (LNI) ZONE AMENDMENTS

March 21<sup>st</sup> 2017

## RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way  
Whistler, British Columbia  
Canada V0N 1B4  
[www.whistler.ca](http://www.whistler.ca)

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



# Background: Community Cultural Plan

- Whistler Community Cultural Plan received by Council in 2013—31 recommendations to promote arts, heritage and culture in Whistler including:
  - ✓ Recommendation # 4: Provide opportunities for local artists to develop and showcase their work.
  - ✓ Recommendation #5: Ensure local artists have opportunities to earn income from their work.
  - ✓ Recommendation #14: Create a more visible community art gallery featuring Sea to Sky artists.
  - ✓ Recommendation #28: Revise existing by-laws that prohibit sales through home-based studios.
- Bought forward as a single initiative in 2015 focusing on three specific opportunities for showcasing local artists
  1. Artist and Artisan Markets.
  2. Home-based Artist Studios.
  3. Community Cultural Facilities.
- Artist and Artisan Market, and Home-based studio opportunities have been implemented.
- Zoning changes to clarify this use for Maury Young Arts Centre are required.

# Background: Stakeholder Consultation

- Comprehensive engagement process initiated in 2015:
  - ✓ Undertaken by RMOW staff and Arts Whistler.
  - ✓ Representatives from Whistler's arts community, local artists and commercial galleries and arts-related businesses.
  - ✓ General support to proceed with policy/bylaw changes to implement each of the three opportunities.
  - ✓ Expectation that support for local emerging artists equitably i.e. consider the interests of commercial galleries.
- Further Consultation undertaken in 2017 prior to bringing forward bylaw amendments for gallery sales:
  - ✓ Undertaken by Arts Whistler.
  - ✓ Direct consultation with local commercial art galleries.
  - ✓ Purpose was to clarify the nature and extent of sales activities from MYAC and mitigate any potential concerns.
  - ✓ Key aspects of MYAC operating model discussed:
    - Retail sales limited to an auxiliary use.
    - Focus on showcasing and providing opportunities for local emerging artists.
    - Would not compete with the commercial galleries.
  - ✓ Letters of support from commercial galleries.

# Background: Current Use of MYAC

- Owned by the RMOW and leased to Arts Whistler.
- Primarily an arts facility and includes:
  - ✓ Arts Whistler's Offices.
  - ✓ Foyer gift shop.
  - ✓ Theatre.
  - ✓ Public gallery.
- The "Gallery"
  - ✓ 100-square meter (1,076 square foot) space located in the upper foyer of MYAC.
  - ✓ Mainly used as exhibition space for 10-12 exhibits per year with limited sales.
  - ✓ Reception and foyer for various community events and gatherings.
- The "Gift Shop"
  - ✓ 65 square meters (700 square foot) space located on the ground floor foyer of MYAC.
  - ✓ Created in response to requests from local artists for display space to sell their work.
  - ✓ Pieces are typically priced between \$50-500 with annual sales revenue totalling. approximately \$8,000—approximately 0.5% of Arts Whistler's total budget.
- From a zoning perspective, the Gallery and Gift Shop are considered "auxiliary" to the principal use of the property as an arts facility.



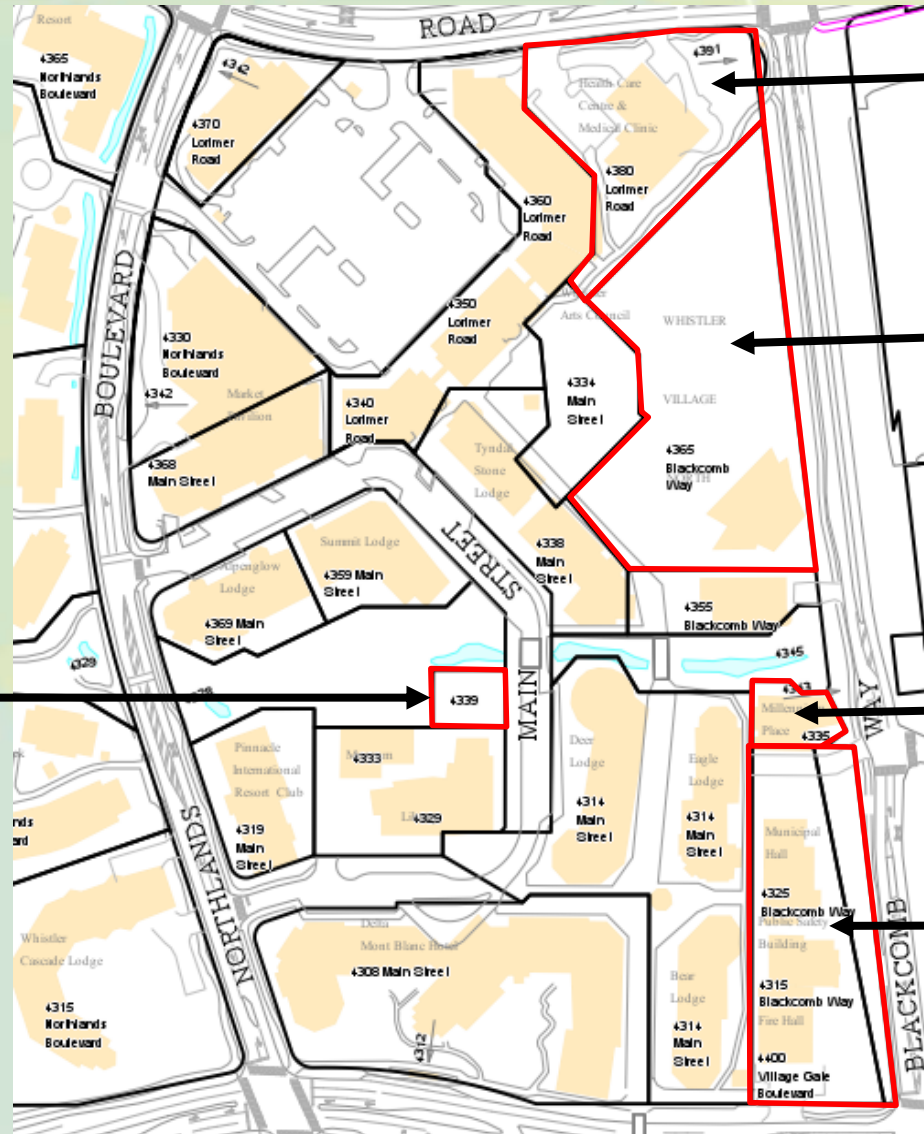
# Background: MYAC Zoning and Regulatory Considerations

- Zoned Lands North Institutional (LNI).
  - ✓ Permits a wide range of community-serving public, recreational, institutional and civic uses.
  - ✓ The current use of MYAC is considered to be in keeping with permitted uses in the LNI zone but retail sales are not expressly permitted in the zone.
- Covenant
  - ✓ Registered on the property in favour of the Province.
  - ✓ Corresponds with the existing zoning.
  - ✓ Staff have discussed with the Province and anticipate covenant amendments will not be required.

# Zoning Amendment Bylaw

- Provides clarification of permitted uses for the LNI zone by adding “institution” and “assembly” as permitted uses. These uses are already defined in the zoning bylaw:
  - ✓ **“institution”** means a college, court of law, community centre, recreation and arts facility, federal, provincial and municipal building, fire hall, jail and prison, library, museum, public hospital, and public school.
  - ✓ **“assembly”** means a gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, education, recreation and philanthropy in a building.
- The LNI zone already allows “auxiliary uses”—retail sales of artwork MYAC will be permitted as an auxiliary use to “arts facility”.
- Scale of auxiliary retail will be limited to 165 square meters—equivalent to the combined area of the existing gallery and gift shop.

# LNI Zoned Properties



Medical Centre

“Lot 1” (Part of Olympic Plaza)

MYAC

Municipal Hall

“Lot 21” (Part of Florence Peterson Park)

# Discussion

- Proposed zoning amendments

- ✓ Clarify zoning for community-serving, public and institutional uses in the LNI zone; specifically MYAC.
- ✓ Developed after extensive public consultation.
- ✓ Intended to be equitable for both local emerging artists and commercial galleries.
- ✓ Further implement the recommendations of the Community Cultural Plan.
- ✓ Consistent with Whistler2020 and Official Community Plan.

# Recommendation

- **That** Council consider giving first and second readings to Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017; and,
- **That** Council authorize staff to schedule a public hearing for Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017 and to advertise for the same in a local newspaper.



Mayor Wilhelm-Morden informed that Council appointed nine members to the Measuring Up Select Committee of Council for the 2017 term as follows:

- Doug Andrews as the representative for the Hotel Association Whistler;
- Sue Lawther as the representative from the Mature Action Committee;
- Mary Ann Collishaw as the representative from Tourism Whistler;
- Chelsey Walker as the representative from Whistler Adaptive Sports Program;
- Matt Davies as the representative from Whistler Blackcomb;
- Cheryl Skrobe or designate as the representative from Whistler Community Services Society;
- Jennifer Angus as an at-large representative;

Mayor Wilhelm-Morden commented that the purpose of the Measuring Up Select Committee is to work collaboratively to assess and improve community accessibility, and inclusion, focusing on the experiences of people with disabilities, but encompassing the whole community.

#### **ADMINISTRATIVE REPORTS**

LLR 1272 – Pangea Pod  
Hotel – New Food  
Primary Licence with  
Hours Past Midnight  
Report No. 17- 025  
File No. LLR 1272

Moved by Councillor J. Ford  
Seconded by Councillor A. Janyk

**That** Council pass the resolutions attached as Appendix “A” to Administrative Report to Council No.17-025 providing Council’s recommendation to the Liquor Control and Licensing Branch regarding an Application from the Pangea Pod Hotel for new food primary licence with hours past midnight.

**CARRIED**

RZ1122-Maury Young  
Arts Centre and Lands  
North Institutional (LNI)  
Zone Amendments  
Report No. 17-026  
File No. RZ 1122

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

**That** Council consider giving first and second readings to Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017; and

**That** Council authorize staff to schedule a public hearing for Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017 and to advertise for the same in a local newspaper.

**CARRIED**

Five-Year Financial Plan  
2016-2020 Amendment  
Bylaw No. 2137, 2017  
Report No. 17-027  
File No. 4530

Moved by Councillor A. Janyk  
Seconded by Councillor J. Ford

**That** Council consider giving first, second and third readings to the Five-Year Financial Plan 2016-2020 Amendment Bylaw No. 2137, 2017.

**CARRIED**

Emergency Planning  
Committee

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

**That** minutes of the Emergency Planning Committee meeting of November 29, 2016 be received.

CARRIED

Liquor License Advisory  
Committee

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

**That** minutes of the Liquor License Advisory Committee meeting of January 12, 2017 be received.

CARRIED

Recreation Leisure  
Advisory Committee

Moved by Councillor A. Janyk  
Seconded by Councillor J. Ford

**That** minutes of the Recreation Leisure Advisory Committee meeting of January 12, 2017 be received.

CARRIED

Forest and Wildland  
Advisory Committee

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

**That** minutes of the Forest and Wildland Advisory Committee meeting of February 8, 2017 be received.

CARRIED

Whistler Bear Advisory  
Committee

Moved by Councillor A. Janyk  
Seconded by Councillor S. Maxwell

**That** minutes of the Whistler Bear Advisory Committee meeting of February 8, 2017 be received.

CARRIED

**BYLAWS FOR FIRST AND SECOND READINGS**

Zoning Amendment  
Bylaw (Maury Young  
Arts Centre and  
Institution and Assembly  
Uses in the LNI Zone)  
2129, 2017

Moved by Councillor J. G  
Seconded by Councillor A. Janyk

**That** Zoning Amendment Bylaw (Maury Young Arts Centre and Institution and Assembly Uses in the LNI Zone) 2129, 2017 receive first and second readings.

CARRIED

**BYLAWS FOR FIRST, SECOND AND THIRD READINGS**

Five-Year Financial Plan  
2016–2020, Amendment  
Bylaw No. 2137, 2017

Moved by Councillor A. Janyk  
Seconded by Councillor S. Anderson

**That** Council consider giving first, second and third readings to the Five-Year Financial Plan 2016-2020 Amendment Bylaw No.2137, 2017.

CARRIED