

WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, JULY 26, 2016 STARTING AT 6:00 P.M.**

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

The 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 (Whistler RV) No. 2110, 2016". (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(s).

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(s).

As stated in the Notice of Public Hearing,

Zoning Amendment
Bylaw (Whistler RV) No.
2110, 2016".

PURPOSE OF ZONING AND PARKING AMENDMENT BYLAW (WHISTLER RV) NO. 2110, 2016

In general terms, the purpose of the proposed Bylaw is to rezone the subject lands to apply a new site specific TV3 Zone, permitting uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

Explanation	An explanation by municipal staff concerning the proposed Bylaw.
Submissions	Submissions by any persons concerning the proposed Bylaw.
Correspondence	Receipt of correspondence or items concerning the proposed Bylaw.

ADJOURNMENT

PUBLIC HEARING DOCUMENT INDEX

RZ 1117 - Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing
Proposed Bylaw	June 21, 2016	RZ 1117- Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016
Administrative Report 16-005	January 26, 2016	Administrative Report to Council requesting Zoning Amendment Bylaw
Administrative Report 16-068	June 21, 2016	Administrative Report to Council requesting consideration of first and second reading and permission to schedule a Public Hearing
Presentation	January 26, 2016	Presentation slides for report to Council
Presentation	June 21, 2016	Presentation slides for report to Council
Minutes	January 26, 2016	Minutes from the Regular Council Meeting of January 26, 2016.
Minutes	June 21, 2016	Minutes from the Regular Council Meeting of June 21, 2016.
Correspondence		Correspondence will be added to the package as it is received



THE RESORT MUNICIPALITY OF WHISTLER

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

TEL 604 932 5535
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NOTICE OF PUBLIC HEARING

TUESDAY, JULY 26, 2016 – 6:00 P.M.

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

ZONING AMENDMENT BYLAW (Whistler RV) NO. 2110, 2016

SUBJECT LANDS: 55 Highway 99, Whistler, BC

More specifically these lands are described as BLOCK A, DISTRICT LOT 4097, New Westminster DISTRICT, LEASE # 240674, GROUP 1, and as shown on the map attached to this notice.

PURPOSE:

In general terms, the purpose of the proposed Bylaw is to rezone the subject lands to apply a new site specific TV3 Zone, permitting uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

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.

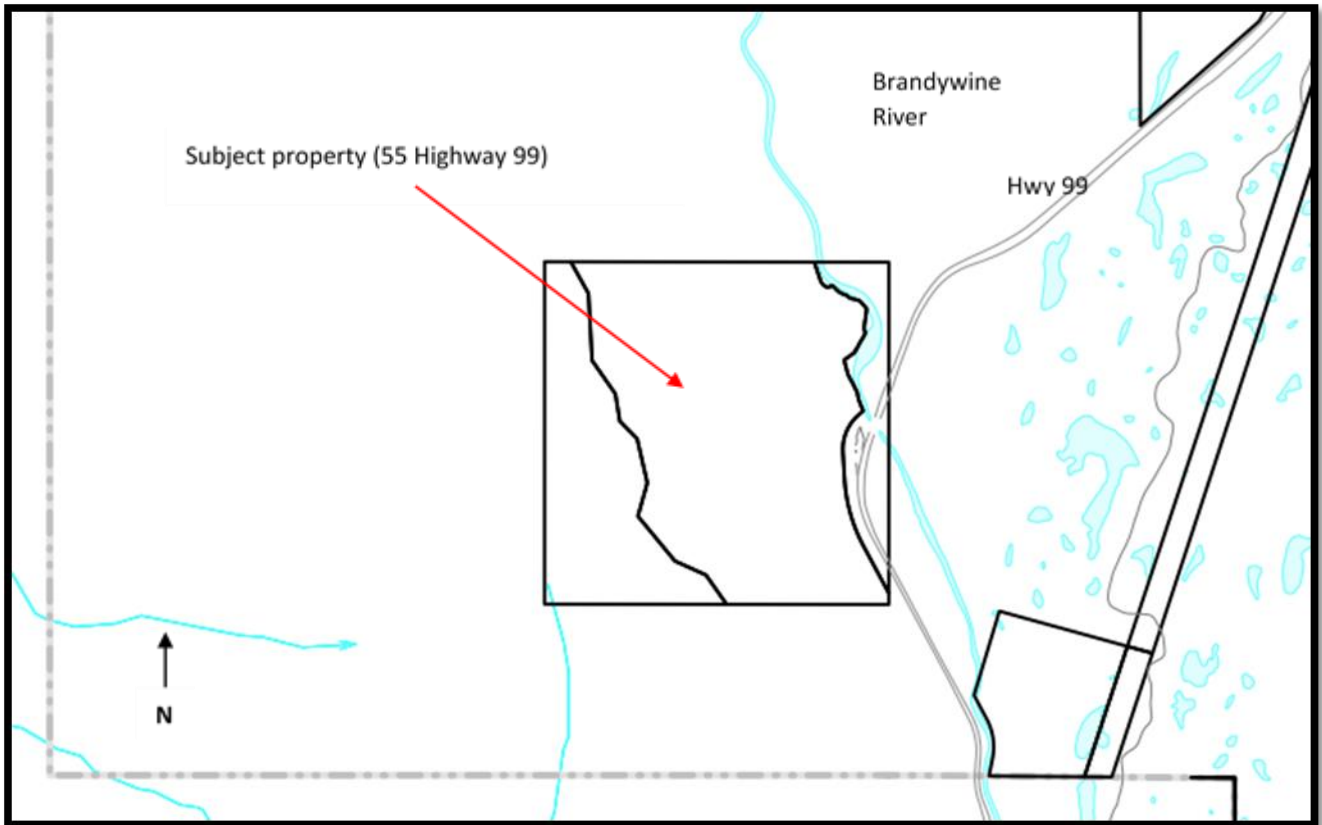
Written comments must be addressed to "Mayor and Council", and may be submitted prior to the Public Hearing (by 4:30 p.m. on July 26, 2016):

Email: 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 with other associated information.

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

ZONING AMENDMENT BYLAW (Whistler RV) NO. 2110, 2016
SUBJECT LANDS – 55 Highway 99, Whistler, BC



**RESORT MUNICIPALITY OF WHISTLER
ZONING AND PARKING AMENDMENT BYLAW (WHISTLER RV) NO. 2110, 2016**

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

WHEREAS Council may, in a zoning bylaw pursuant to Sections 903 and 906 of the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zones, regulate the use of land, buildings and structures within the zones, and require the provision of parking spaces for uses, buildings and structures;

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 (Whistler RV) No. 2110, 2016".
2. The Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 is hereby amended as follows:
 - (a) Part 7 is amended by inserting the following in alphanumerical order under the heading "TA Zones":

"TV3 Tourist Vehicle and Campground Three"
 - (b) Part 15 is amended by inserting as Section 18 the TV3 (Tourist Vehicle and Campground Three) Zone, attached as Schedule "A" to this Bylaw.
 - (c) The lands legally described as BLOCK A DISTRICT LOT 4097 NEW WESTMINSTER DISTRICT LEASE # 240674, GROUP 1, shown outlined in heavy black on the sketch plan attached as Schedule "B" to this Bylaw, are hereby zoned as TV3 (Tourist Vehicle and Campground Three) Zone.
3. If any section or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST READING this 21st day of June, 2016.

GIVEN SECOND READING this 21st day of June, 2016

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

GIVEN THIRD READING this __ day of _____, _____.

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

ADOPTED by the Council this __ day of _____, _____.

Mayor, Nancy Wilhelm-Morden

Municipal Clerk, L. Schimek

I HEREBY CERTIFY that this is a true
copy of "Zoning Amendment Bylaw
(Whistler RV) No. 2110, 2016

Municipal Clerk, L. Schimek

SCHEDULE “A”

18. TV3 Zone (Tourist Vehicle and Campground Three)

Intent

- 1) The TV3 Zone is intended to provide for recreational vehicle park, campground, and service facilities related to such uses.

Permitted Uses

- 2) The following uses are permitted and all other uses are prohibited:
 - a) agriculture limited to gardening, greenhouses, raising of crops, apiaries, and keeping or raising of horses, goats and fowl;
 - b) campground, excluding yurts;
 - c) commercial water bottling;
 - d) detached dwelling;
 - e) recreational vehicle park;
 - f) auxiliary buildings and auxiliary uses to the above; and,
 - g) without limiting (f) the following auxiliary uses to (a) through (e) above:
 - i. auxiliary residential dwelling unit for a caretaker or watchman or other persons similarly employed;
 - ii. office and administration;
 - iii. outdoor recreation;
 - iv. restaurant, catering primarily to the needs of the visitors staying in the recreational vehicle park and campground;
 - v. retail, catering primarily to the needs of the visitors staying in the recreational vehicle park and campground; and
 - vi. sani-dump.

Density

- 3) The maximum number of recreational vehicle pads is 102.
- 4) The maximum number of camping spaces for tents is 50.
- 5) One detached dwelling is permitted per parcel.
- 6) The maximum number of auxiliary residential dwelling units is 1.

- 7) The maximum permitted gross floor area for the total of all buildings for all permitted uses shall not exceed 1555 square metres.
- 8) All uses provided for in Section 1 of the TV3 Zone are subject to the following restrictions:
 - a) the maximum floor area for agriculture use shall not exceed 95 square metres;
 - b) the maximum floor area of an auxiliary building for campground and recreational vehicle park shall not exceed 45 square metres and the aggregate floor area of all auxiliary buildings for campground and/or recreational vehicle park shall not exceed 370 square metres;
 - c) the maximum floor area for commercial water bottling use shall not exceed 95 square metres;
 - d) the maximum floor area for detached dwelling shall not exceed 465 square metres;
 - e) the maximum floor area of an auxiliary residential dwelling unit is 90 square metres;
 - f) the maximum floor area for office or administrative use shall not exceed 105 square metres;
 - g) the maximum floor area for restaurant use shall not exceed 95 square metres;
 - h) the maximum floor area for retail use shall not exceed 145 square metres; and,
 - i) the maximum floor area for storage or maintenance use shall not exceed 95 square metres.

Auxiliary Sani-Dump Requirement

- 9) A sani-dump station may be permitted only if it is connected to a sewage disposal system approved pursuant to the *Health Act* and the regulations thereto.

Height

- 10) The maximum permitted height of a principal use building is 9 metres.
- 11) The maximum permitted height of an auxiliary building is 9 metres.

Setbacks

- 12) The minimum permitted setback from all property lines is 20 metres.

Parcel Size

- 13) The minimum parcel area is 40 hectares.

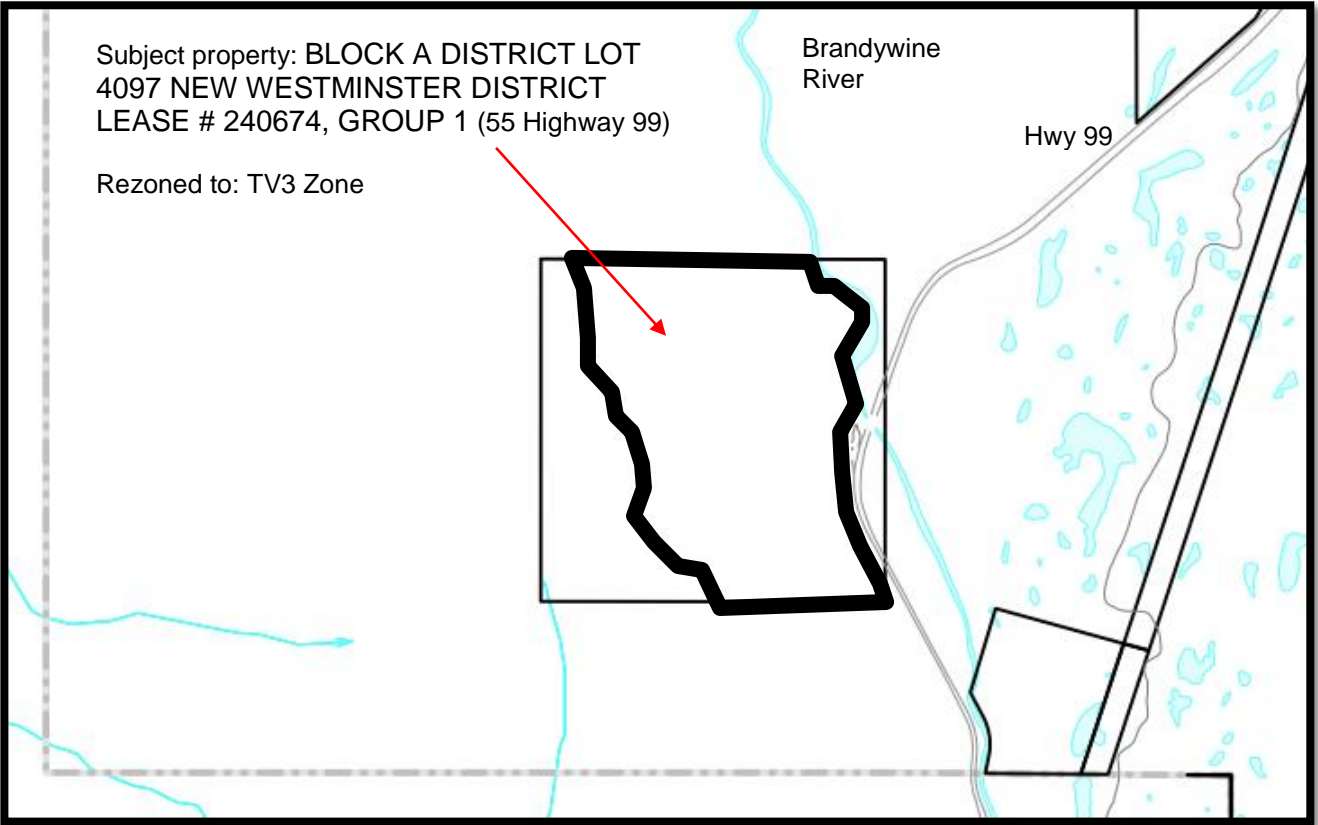
Off-Street Parking and Loading

- 14) 1.25 parking spaces per camping space shall be provided and all other uses shall in addition provide the number of parking spaces as required and determined pursuant to Part 6 of this Bylaw. All parking and loading spaces shall be provided in accordance with the site, size, and access regulations provided in Part 6 of this Bylaw.

Other Regulations

- 15) Uses permitted under Section 2 are subject to the following:
- a) Except for a custodian and residents of the detached dwelling, the occupancy of any lands or buildings for permanent residential use shall be prohibited;
 - b) A camping space shall not be occupied by the same recreational vehicle or tent for more than 30 consecutive days;
 - c) The use of land for either pedestrian trails or vehicular roads within the Brew Creek Community Watershed shall be prohibited except for the existing Forest Service Road that serves as the primary access to the campground;
 - d) All uses shall be screened from Highway 99 by a landscape screen consisting of natural vegetation such that development is not visible from any point of Highway 99 adjacent to the land.

SCHEDULE "B"





REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 26, 2016
FROM: Resort Experience
SUBJECT: ZONING AMENDMENT BYLAW - WHISTLER RV PARK (55 HWY 99)

REPORT: 16-005
FILE: RZ 1117

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize staff to prepare a zoning amendment bylaw for Whistler RV Park and Campground (55 Highway 99), proposing a custom zone for the property including uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

REFERENCES

Owners: Coldsmoke Land BC Ltd.
Location: 55 Hwy 99, Whistler, BC
Legal Description: BLOCK A DISTRICT LOT 4097 NEW WESTMINSTER DISTRICT LEASE # 240674, GROUP 1.
Current Zoning: Unzoned (the Rural 1 zone in SLRD Zoning Bylaw 20, 1970 applies)
Appendices: 'A' Location and Site Maps

PURPOSE OF REPORT

This report seeks Council authorization to proceed with a zoning amendment for Whistler RV Park and Campground, a project on the planning department's 2015/16 work plan. The amendment would apply a custom zone to the property, permitting those uses that are currently allowed under Crown land lease No. 240674 and applicable clauses within the Rural 1 zone of SLRD Zoning Bylaw 20, 1970. This report contains a brief history of the property and an overview of the proposed zoning.

DISCUSSION

Background

Whistler RV and Campground was brought into the municipality with the 2007 boundary expansion. Zoning for the campground has not yet been adopted, so the property remains unzoned in RMOW Zoning and Parking Bylaw No. 303, 1994. The SLRD Zoning Bylaw No. 20, 1970 Rural 1 zone continues to apply until such time that the RMOW adopts zoning for the property.

The campground is located 18 km south of Whistler Village, near Brandywine Provincial Park. It is a 42.1 hectare property with 102 serviced RV sites for year round use, and 44 seasonal tent sites. Accessory buildings include a storage building, washing facilities, and a log cabin for custodian use. Recreation facilities on the site include trails, an 18 hole frisbee golf course, a whiffle golf course, and a pump track. The campground is serviced with a well and septic field.

SLRD Rural 1 zone

The SLRD Rural 1 zone that currently applies to the property permits the following uses:

- A. agriculture, horticulture, silviculture, poultry raising, animal and stock raising, excluding mink farms and piggeries;
- B. the extraction of raw materials from the land, provided that no further processing is permitted on the site;
- C. parks and playgrounds, golf course, and recreational uses;
- D. a single family dwelling or mobile home;
- E. professional practice, homecraft or occupation, provided that the use is conducted by the resident and is confined to the interior of a dwelling;
- F. garbage dumps operated and maintained by the Regional District;
- G. campsite, subject to the following special conditions:
 - i. the maximum number of recreational vehicle spaces shall be 100;
 - ii. the maximum number of tenting spaces shall be 50;
 - iii. the occupancy of any lands or buildings for permanent residential use shall be prohibited, except for a custodian;
 - iv. a recreational vehicle space shall not be occupied by the same recreational vehicle for more than 30 consecutive days;
 - v. the use of land for campfires shall be restricted to designated areas;
 - vi. the floor area of auxiliary commercial uses to a campsite, such as a small retail outlet or commercial laundry facilities, shall not exceed a combined total area of 100 square meters; and
 - vii. [several other clauses pertaining to signage, water quality protection, and screening from Highway 99].

The SLRD Zoning Bylaw No. 20, 1970 specifies that cabins, park model recreation vehicles, or other permanent buildings for overnight guest accommodation are not permitted within the campground.

Crown Land Lease No. 240674

The campground is also regulated by the Ministry of Forests, Lands, and Natural Resources via a 30 year Crown land lease. The uses permitted under the Crown land lease differ from the SLRD zoning. Under the lease's management plan, the following uses are permitted:

- A. 102 serviced RV sites for year round use, and 44 seasonal tent sites,
- B. washing facilities,
- C. a caretaker's cabin,
- D. a maintenance building,
- E. mountain biking trails,

- F. a paintball course, and,
- G. events hosting up to 900 people.

Owner Consultation

Staff have been in contact with the owner of the campground on several occasions over the last few years. Bylaw Enforcement staff have worked with the owner to:

- ensure building permits were issued for the accessory buildings,
- to ensure accessory buildings were not used for residential use, and,
- to have storage sheds removed from RV sites.

Beginning in October 2013, the owner has discussed with planning staff, and most recently the General Manager of Resort Experience, the possibility of allowing guest cabins on the property to support winter snowmobile activity. In part, the rationale for allowing the cabins is that Whistler RV is in close proximity to a large network of snowmobile trails, and that convenient snowmobiler accommodation is not being provided for in Whistler. The Village is some distance north, and there is little secure parking for their equipment.

Whistler's 1993 Official Community Plan does not designate the Whistler RV and Campground lands as a development area. To permit cabins on the property, an amendment to Whistler's OCP would be required, and rezoning.

Staff have consistently indicated that a rezoning and OCP amendment to allow for guest cabins on the property would not be supported by staff due to the following:

1. The property is located outside of Whistler's proposed Urban Development Containment Area,
2. The proposal would increase the bed unit capacity of the municipality, requiring clear and substantial benefits to the community and resort, and,
3. Current efforts are focused on improving occupancy of Whistler's existing tourist accommodation inventory.

In 2014, the owner consulted with staff as to whether the zoning permitted music festivals and events on the property. Staff responded that the SLRD temporary use zoning regulations apply, and therefore, they could apply for a temporary use permit from the RMOW.

Proposed Zoning

Staff are proposing to apply a custom zone to the property that reflects the uses currently allowed under Crown land lease No. 240674 (including events), as well as continuing to allow a single family dwelling on the property as per the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

OTHER POLICY CONSIDERATIONS

Whistler 2020

The proposed zoning supports Whistler 2020 economic, built environment, and recreation and leisure strategies:

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	1. Limits to growth are understood and respected.	Applying a custom zone to the property that reflects the uses allowed under the Crown land lease will comply with Whistler's OCP and not increase bed units.
	4. To maintain vibrancy, Whistler Village is the core of the resort community.	The proposed zoning amendment will support occupancy of existing tourist accommodation within the Village.
Economic	5. Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	
	10. Whistler's core accommodation base and long-term investments made in the community are protected.	
Recreation and Leisure	9. Recreation and leisure is a core contributor to the Whistler economy.	The proposed zoning amendment will support the existing recreation uses at Whistler RV and Campground.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Economic	4. Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adapts to changing external conditions.	The proposed zoning amendment may result in some loss of opportunity to provide accommodation to snowmobilers recreating on the southern boundary of the community.

Official Community Plan

The proposed zoning amendment will be consistent with Whistler's 1993 OCP, as well as the proposed OCP, and will support applicable OCP objectives and policies, including the following:

Policy No.	OCP Policy	Comments
4.1.1	The lands outlined in Schedule B are designated for development of accommodation (campsites are excluded).	The recommended zoning amendment does not propose additional accommodation outside of the development areas specified in in Schedule B of the OCP.
4.1.3	The lands outlined in Schedule C are the primary focus for commercial accommodation.	The recommended zoning amendment does not propose additional accommodation outside of the areas specified in in Schedule C of the OCP.
4.13.2	Proposed OCP amendments or rezonings that increase the bed-unit capacity of the Municipality will only be considered if the development: <ul style="list-style-type: none"> a) provides clear and substantial benefits to the community and the resort; b) is supported by the community, in the opinion of Council; c) will not cause unacceptable impacts on the community, resort, or environment; and d) meets all applicable criteria set out in the Official Community Plan. 	The recommended zoning amendment will reflect the existing campground uses. An increase the bed-unit capacity of the Municipality is not proposed, as it is not consistent with the OCP.

Legal Encumbrances

The proposed zoning amendment complies with the provisions of Crown land lease No. 240674.

Green Building Policy

No new buildings or renovations are proposed as part of this zoning amendment.

BUDGET CONSIDERATIONS

This project is on the Planning Department's 2015/16 work plan. Staff time and costs arising from public consultation are accounted for in the department budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

Should the project proceed, an information sign will be posted on the property. A public hearing, which is subject to public notice requirements, will take place.

SUMMARY

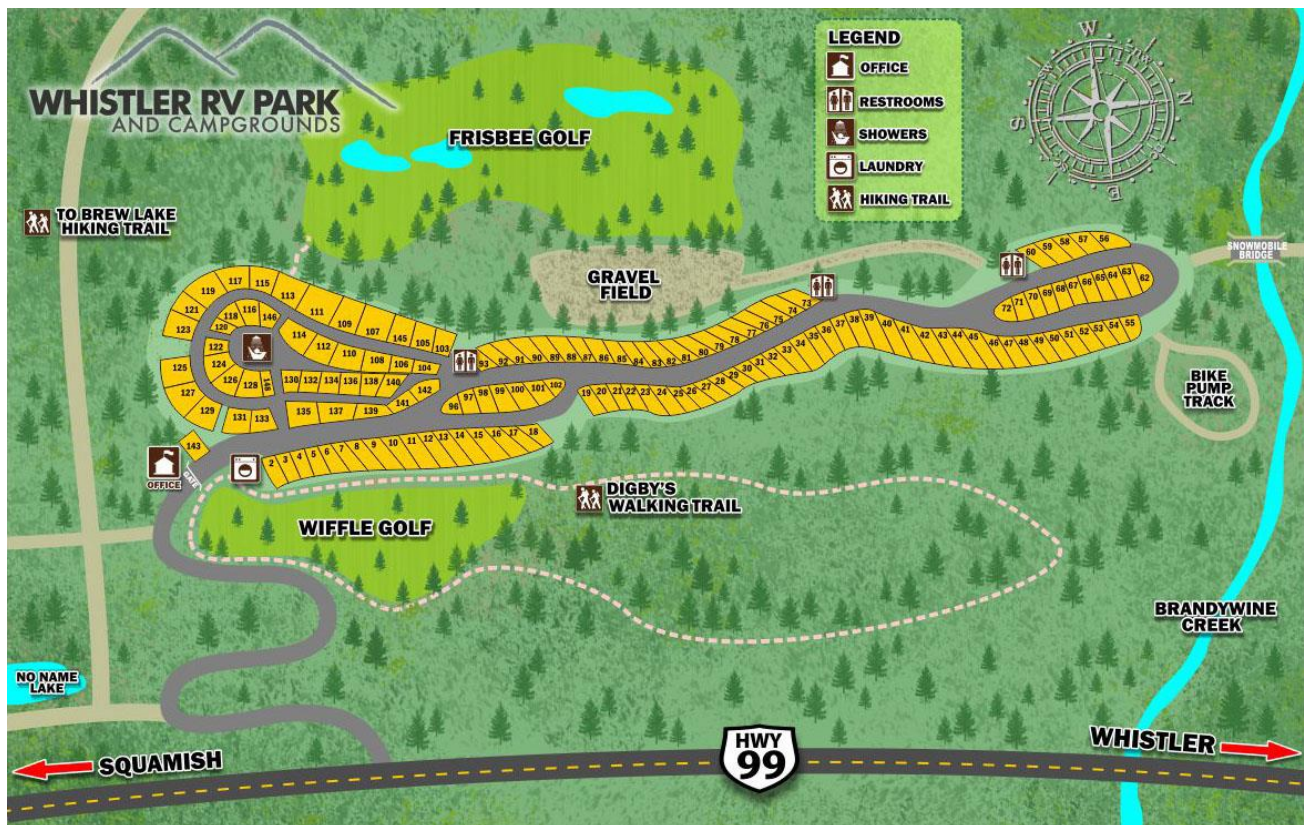
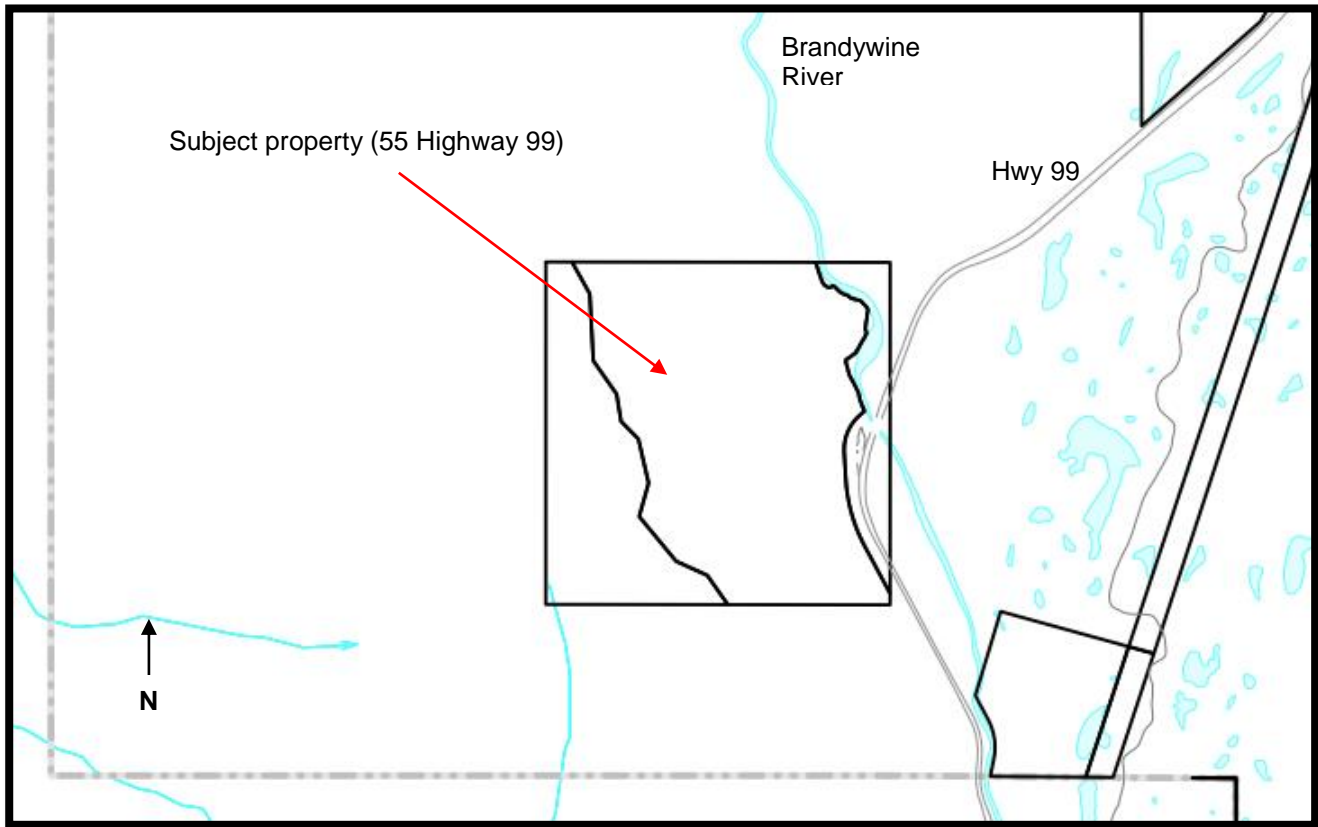
This report seeks Council authorization to proceed with a zoning amendment for Whistler RV Park and Campground, a project on the planning department's 2015/16 work plan. The amendment would apply a custom zone to the property, permitting those uses that are currently allowed under Crown land lease No. 240674 and applicable clauses within the Rural 1 zone of SLRD Zoning Bylaw 20, 1970. This report contains a brief history of the property and an overview of the proposed zoning.

Respectfully submitted,

Amica Antonelli
PLANNER
For
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A – Location and Site Maps







REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: June 21, 2016

REPORT: 16-068

FROM: Resort Experience

FILE: RZ 1117

SUBJECT: RZ 1117 – WHISTLER RV PARK – 55 HWY 99

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 (Whistler RV) No. 2110, 2016'; and further

That Council authorize staff to schedule a public hearing for 'Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016', and to advertise for same in the local newspaper.

REFERENCES

Owners: Coldsmoke Land BC Ltd.

Location: 55 Hwy 99, Whistler, BC

Legal Description: BLOCK A DISTRICT LOT 4097 NEW WESTMINSTER DISTRICT LEASE # 240674, GROUP 1.

Current Zoning: Unzoned (the Rural 1 zone in SLRD Zoning Bylaw 20, 1970 applies)

Appendices: A Location and site maps

PURPOSE OF REPORT

This report recommends that Council give first and second readings to Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016. Bylaw 2110 amends the municipality's Zoning and Parking Bylaw 303, 2015 to apply a new site specific TV3 Zone to Whistler RV and Campground. The TV3 Zone will replace the SLRD's Zoning Bylaw 20, 1970 Rural 1 Zone, which is currently applicable to the property. This is a municipally initiated rezoning.

DISCUSSION

Background

On January 26, 2016, Council authorized staff to prepare a zoning amendment bylaw for Whistler RV and Campground. The resolution was as follows:

'That Council authorize staff to prepare a zoning amendment bylaw for Whistler RV Park and Campground (55 Highway 99), proposing a custom zone for the property including uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.'

Whistler RV was brought into the municipality with the 2007 boundary expansion. The property is currently not subject to RMOW zoning. The SLRD Zoning Bylaw No. 20, 1970 Rural 1 Zone continues to apply until such time that the RMOW adopts zoning for the property. This project is on the Planning Department's 2015/16 work plan.

The campground is a 42.1 hectare Crown land lease located 18 km south of Whistler Village, near Brandywine Provincial Park. Existing development is comprised of 102 serviced RV sites for year round use, 44 seasonal tent sites and accessory buildings including a storage building, washing facilities, and a log cabin for custodian use. Existing recreation facilities on the site include trails, an 18 hole Frisbee golf course, a whiffle golf course, and a pump track. The campground is serviced with a well and septic field. The Brew Creek Watershed abuts the west side of the campground.

Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016

As per the Council resolution, staff prepared Bylaw 2110 giving consideration to existing and potential uses authorized by the Province under Crown land lease #240674, and currently permitted uses under SLRD Zoning Bylaw 20, 1970 Rural 1 Zone. In addition, Bylaw 2110 clarifies what uses can take place as auxiliary uses and applies maximum gross floor areas for most permitted uses.

Table 1 provides an overview of the uses proposed for Bylaw 2110, relative to those permitted by the Crown land lease and the SLRD Rural 1 Zone:

Table 1 – Whistler RV Land Use		
Permitted Uses - Bylaw 2110	Permitted Uses - Crown Land Lease # 240674	Permitted Use: SLRD Rural 1 Zone
Agriculture limited to gardening, greenhouses, raising of crops, apiaries, and keeping or raising of horses, goats and fowl. (Max GFA: 95 m ²)	X	√
Campground, excluding yurts, 50 tent sites (44 sites are existing) (Max GFA: 45 m ² per building, up to a total of 370 m ²)	√ (permits 50 sites for tents including yurts)	√ (permits 50 sites for tents including yurts)
Commercial water bottling (Max GFA: 95 m ²)	√	X
Detached dwelling (Max GFA: 465 m ²)	X	√
Recreational vehicle park, 102 RV pads (102 pads are existing)	√ (permits 100 sites)	√ (permits 100 sites)
Auxiliary buildings and auxiliary uses, including:	√	√
i. Restaurant (catering primarily to the needs of the visitors staying in the recreational vehicle park and campground (there is an existing small café) (Max GFA: 95 m ²)	X	√ (potentially permitted as auxiliary use, though not explicitly stated)
ii. Retail, catering primarily to the needs of the visitors staying in	X	√ (potentially permitted as auxiliary use, though not explicitly stated)

the recreational vehicle park and campground (Max GFA: 145 m ²)		
iii. Outdoor recreation (Max GFA: none)	√	√
iv. Office and administration (Max GFA: 105 m ²)	√	√
v. Sani-dump	√	√
vi. Auxiliary residential dwelling for caretaker (Max GFA: 90 m ²)	√	√
Excluded Uses – Bylaw 2110	Permitted Uses - Crown Land Lease # 240674	Permitted Use: SLRD Rural 1 Zone
Golf course	X	√
Garbage dump, operated and maintained by the Regional District.	X	√

The total gross floor area permitted on the property for all uses is 1555 m². The following provides additional detail on the permitted uses listed above:

1. Recreational vehicle park:

- a. The definition of recreational vehicle park is ‘an area of land in which two or more recreational vehicles are parked on a temporary basis.’
- b. Recreational vehicle is defined as ‘trailer, motor home or similar motor vehicle designed for travel and temporary overnight sleeping accommodation.’ The phrase ‘motor vehicle designed for travel’ excludes park model trailers, or similar units intended for semi-permanent living space.

2. Campground:

- a. Campground is defined as an ‘area of land in which two or more camping spaces are used for temporary occupation by travellers in recreational vehicles, tents and yurts, but does not include a mobile home park or auto-court.’ Under Bylaw 2110, yurts are excluded as a permitted use. Yurts may function as year round accommodation similar to cabins, and as per the January 26, 2016 direction provided by Council (see Report 16-005), they are not supported at Whistler RV.

3. Agriculture:

- a. Since the January 26, 2016 Council meeting the lease holder has proposed a number of ‘agriculture’ opportunities they would like to pursue. The lease holder let staff know that agriculture uses have taken place on the property, including goats, bees, horse training, boarding, and tours, and a small market garden. The lease holder hopes to continue these agricultural uses and has proposed an expansion of agricultural uses. Staff is supportive of limited agricultural uses compatible with the campground and contributing to the visitor experience. The proposed zoning restricts buildings and structures associated with agricultural use to be no more than 95

square metres and limits the agricultural uses to gardening, greenhouses, raising of crops, apiaries, and keeping or raising of horses, goats and fowl. This provides for the current uses.

4. Auxiliary uses:

- a. Restaurant is defined in Zoning Bylaw No. 303, and excludes drive-in and drive-through restaurants.
- b. Outdoor recreation is defined as 'private, commercial or public unsheltered recreation facilities for civic, social, educational, entertainment or like purposes which may also contain auxiliary retail and services customarily associated with such facilities.' As per Zoning Bylaw No. 303, outdoor recreation use will allow for auxiliary retail.

5. General notes:

- a. Authorization of a use by Crown land lease remains subject to applicable zoning. Thus, if an authorized use is not provided for under zoning, then it is not a permitted use. Conversely, if a use is not authorized by the Crown under the lease, but is permitted by zoning, then the leaseholder is not entitled to the use unless the lease is modified. As Table 1 indicates, there are several uses permitted in Bylaw 2110 that are not permitted in the Crown Land lease. It will be up to the lease holder to reconcile these uses with the Province.

Other Uses at Whistler RV

Extraction of Raw Materials – The leaseholder has also indicated they have been in discussions with a Squamish landscape company regarding the sale of stones from the property. Logging and mining are regulated by the Province under the *Forest Act* and *Mineral Tenure Act*. Prior written consent from the Province would be required for any logging and mining to occur on the property, as an amendment to the property's lease agreement. These uses are not supported as they are not considered complementary to a campground in a resort destination. Further, landscape services or retailing of landscape materials is not permitted under the proposed zone, as this is typically provided for and is more appropriate within Whistler's industrial zones.

Home Occupation Use – Home occupation use is permitted in all zones within the RMOW subject to the regulations contained in Section 12 of Part 5 of the Zoning Bylaw.

With the recommended zoning to permanently establish the permitted uses, staff will encourage the lease holder to look for opportunities to enhance the character of the site for an improved visitor experience, such as additional landscaping of the site.

POLICY CONSIDERATIONS

Whistler 2020

Bylaw 2110 supports Whistler 2020 economic, built environment, and recreation and leisure strategies:

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
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Built Environment	Limits to growth are understood and respected.	Applying a custom zone to the property that reflects the uses allowed under the Crown land lease will comply with Whistler's OCP and not increase bed units or permanent buildings for accommodation except for the one single family dwelling and auxiliary dwelling.
Economic	Whistler's core accommodation base and long-term investments made in the community are protected.	The proposed zoning amendment will support existing uses at Whistler RV and provide facilities for traveling visitors.
Natural Areas	Developed and recreation areas are designed and managed to protect as much of the natural environment within and around them as possible	The adjacent Brew Creek Watershed is unaffected by Bylaw 2110.
Recreation and Leisure	Recreation and leisure is a core contributor to the Whistler economy.	The proposed zoning amendment will support the existing recreation uses at Whistler RV and Campground.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Limits to growth are understood and respected.	Whistler RV is located outside of Whistler's developed area and is an existing facility. The proposed RMOW zoning limits the uses.

Official Community Plan

The SLRD Electoral Area D Official Community Plan Bylaw No. 495, Amendment Bylaw No. 940, 2005 applies to Whistler RV and Campground until such time that the RMOW OCP is amended to specifically incorporate the lands. Under SLRD Bylaw 940, the property is designated as Resource Management. The proposed Zoning Amendment Bylaw 2110 is not inconsistent with the Electoral Area D Official Community Plan:

Policy No.	Electoral Area D OCP Policy	Comments
4.0 Resource Management - Objectives	Retain the rural quality of the existing setting.	
	Promote the allocation, use, and management of Crown land and water resources in a manner that, to the greatest practicable extent, positively addresses community needs and interests.	
	Accommodate back-country tourism and recreation activities as long as impacts on residential communities are minimized.	The adjacent Brew Creek Watershed is unaffected by Bylaw 2110.
4.0 Resource Management – Policy 7	Allow, on a site specific rezoning basis, small-scale back-country tourism lodgings that accommodate a maximum of 12 guests and 3 staff. A plan amendment will not be required to facilitate back country lodging of this scale.	Whistler RV Park and Campground is not considered 'backcountry,' and is therefore not subject to this clause.
6.0 Commercial	The only existing commercial development within the Sub Area is the Brew Creek Lodge.	

The proposed Bylaw 2110 is consistent with the RMOW Official Community Plan, as follows:

Policy No.	OCP Policy	Comments
4.1.3	The lands outlined in Schedule C are the primary focus for commercial accommodation. (The area outlined includes Blackcomb base, Whistler Village, and Creekside)	Bylaw 2110 does not propose additional accommodation outside of the areas specified in Schedule C of the OCP.
4.13.2	Proposed OCP amendments or rezonings that increase the bed-unit capacity of the Municipality will only be considered if the development: a) provides clear and substantial benefits to the community and the resort; b) is supported by the community, in the opinion of Council; c) will not cause unacceptable impacts on the community, resort, or environment; and d) meets all applicable criteria set out in the Official Community Plan.	An increase in bed units is not proposed.

Legal Encumbrances

The proposed zoning amendment permits uses beyond the Crown land lease No. 240674. The Crown land lease will have to be amended by the lease holder and the Province before these uses can occur.

Green Building Policy

No new buildings or renovations are proposed as part of this zoning amendment.

BUDGET CONSIDERATIONS

Staff time and costs arising from this project are accounted for in the department budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

An information sign will be posted on the property. A public hearing, which is subject to public notice requirements, will take place.

Staff have been in contact with the owner of Whistler RV on several occasions over the last few years. Bylaw Enforcement staff have worked with the owner to:

- ensure building permits were issued for accessory buildings,
- ensure accessory buildings were not used for residential use, and,
- to have storage sheds removed from RV sites.

As part of the development of Bylaw 2110, staff have had regular correspondence with the property owner. The owner has expressed a preference for removing the maximum permitted gross floor areas contained within Bylaw 2110. Staff is not supportive of this proposal, which would allow for unlimited expansion of permitted uses on the site.

SUMMARY

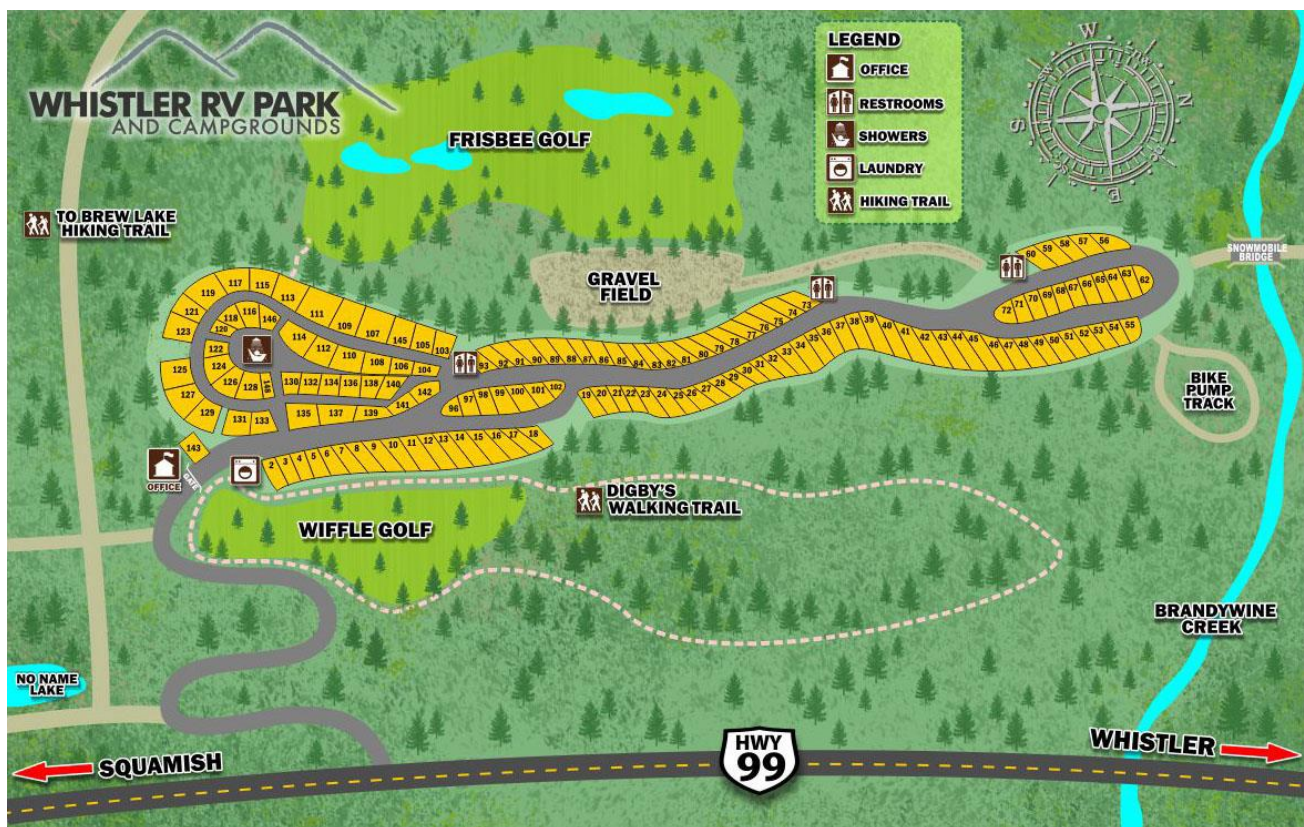
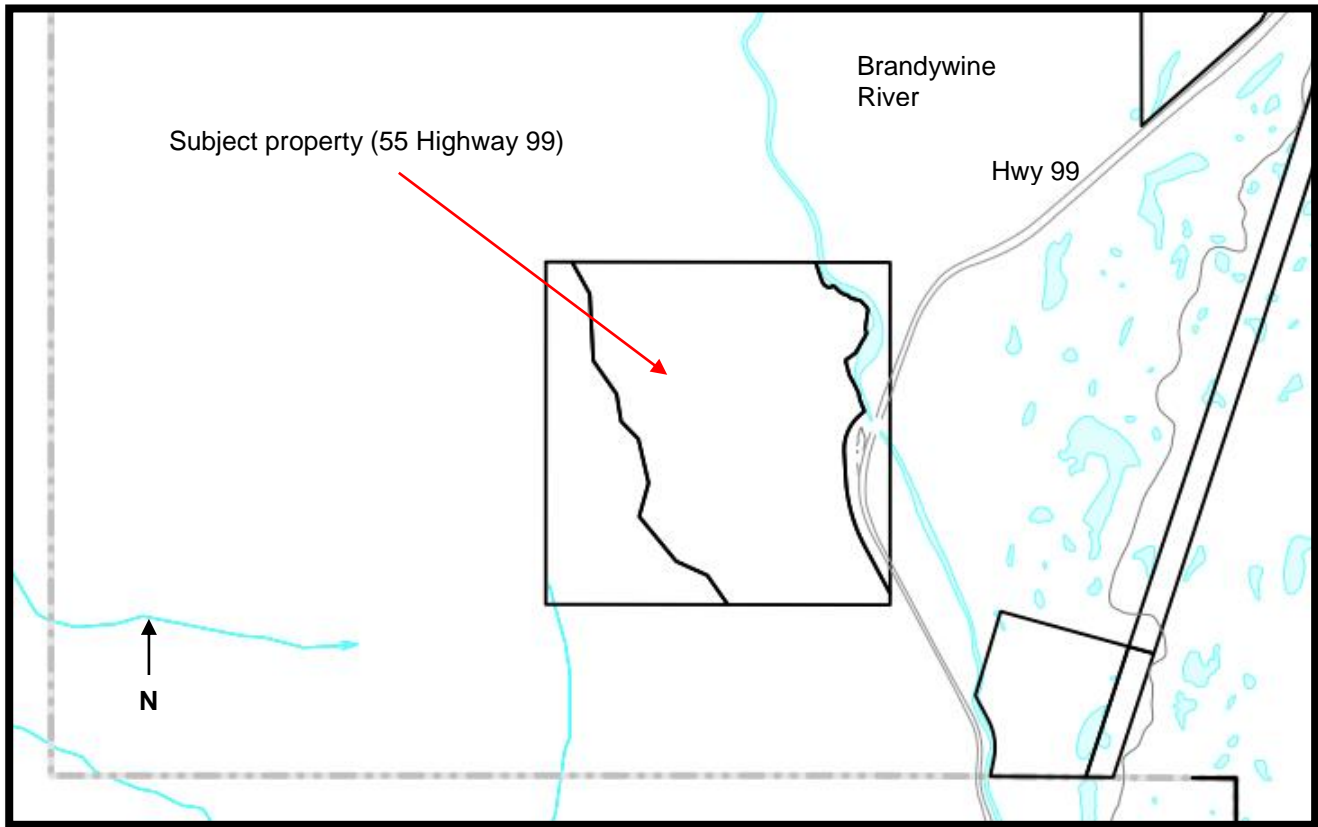
This report recommends that Council give first and second readings to Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016. Bylaw 2110 amends the municipality's Zoning and Parking Bylaw 303, 2015 to apply a new site specific TV3 Zone to Whistler RV and Campground. The TV3 Zone will replace the SLRD's Zoning Bylaw 20, 1970 Rural 1 Zone, which is currently applicable to the property. This is a municipally initiated rezoning.

Respectfully submitted,

Amica Antonelli
PLANNER
For
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A – Location and Site Maps





RZ 1117

55 Highway 99

Whistler RV and Campground

Council Presentation

January 26, 2016

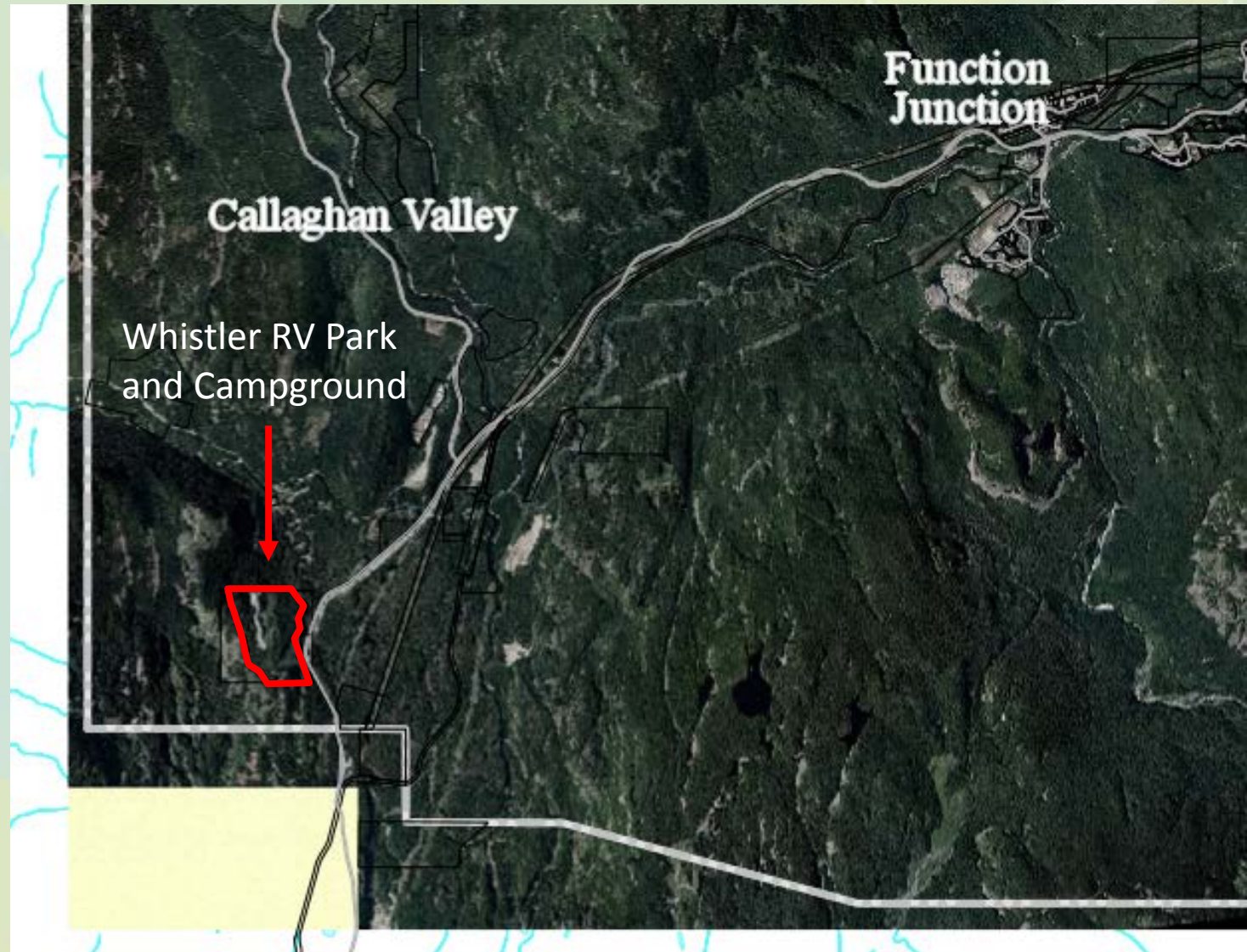
RESORT MUNICIPALITY OF WHISTLER

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

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



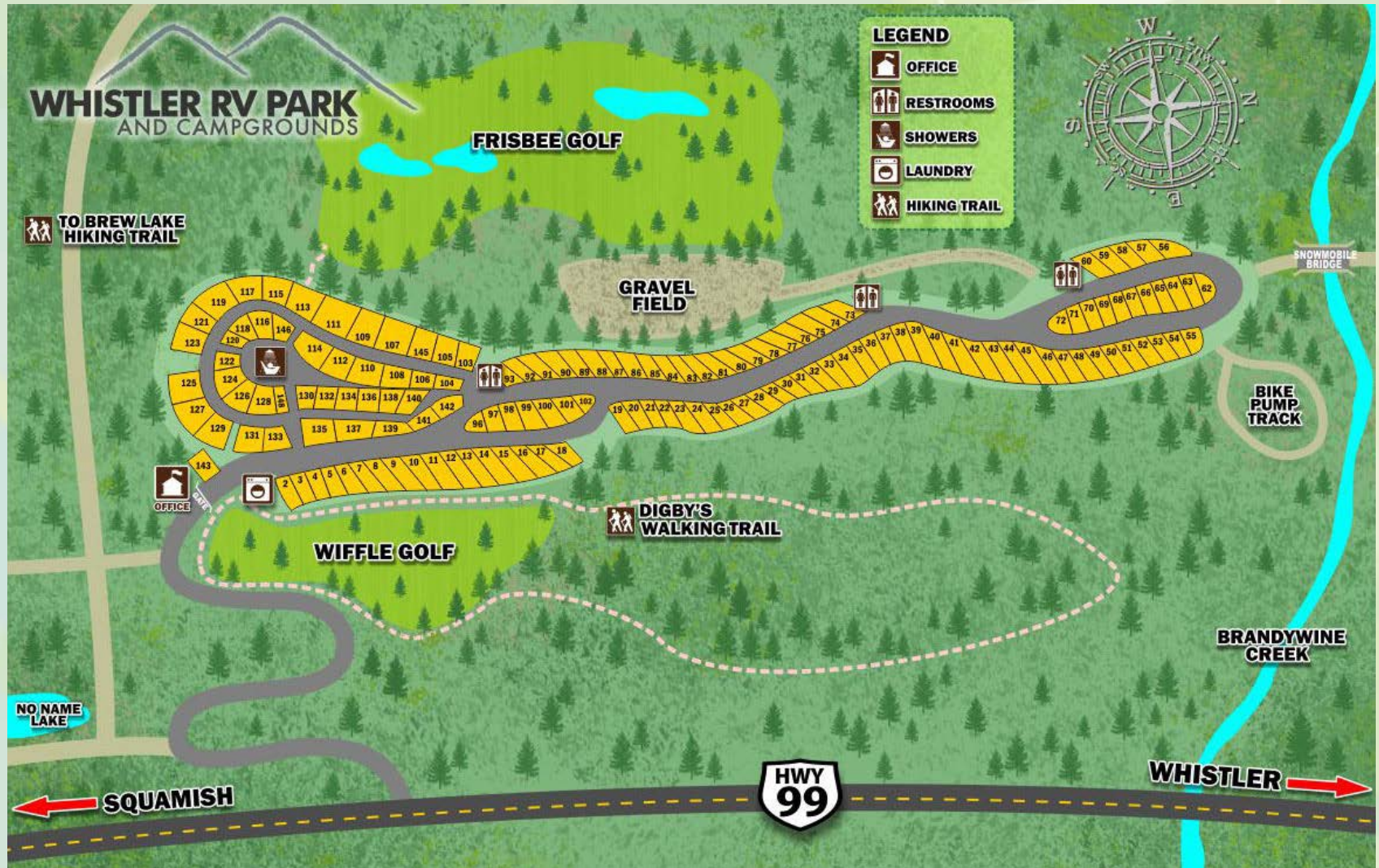
Subject Lands



Subject Lands



Existing Conditions



Current Zoning

SLRD Zoning Bylaw No. 20, 1970 Rural 1 zone

Permitted uses:

- ✓ Agriculture,
- ✓ Resource extraction,
- ✓ Parks and recreation,
- ✓ Single family dwelling,
- ✓ Garbage dump,
- ✓ Campground

Proposed Zoning

Custom zone with:

- Uses that are currently allowed under Crown land lease No. 240674, including events,
- Applicable clauses within the Rural 1 zone of SLRD Zoning Bylaw 20, 1970 (recreation, single family dwelling).

Whistler 2020

Toward Description of Success

- Built Environment
 - ✓ 1. Limits to growth are understood and respected.
- Economic
 - ✓ 10. Whistler's core accommodation base and long-term investments made in the community are protected.
- Recreation and Leisure
 - ✓ 9. Recreation and leisure is a core contributor to the Whistler economy.

Whistler 2020

Away from Description of Success

- Economic
 - ✓ 4. Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adapts to changing external conditions.

OCP Bylaw No. 1021, 1993

4.1.3 - The lands outlined in Schedule C are the primary focus for commercial accommodation.

4.13.2 - OCP amendments or rezonings that increase the bed-unit capacity will only be considered:

- a) provides clear and substantial benefits to the community and the resort;
- b) is supported by the community, in the opinion of Council...

Recommendations

That Council authorize staff to prepare a zoning amendment bylaw for Whistler RV Park and Campground (55 Highway 99) to apply a custom zone to the property, permitting those uses that are currently allowed under Crown land lease No. 240674 and applicable clauses within the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.



RZ 1117

55 Highway 99

Whistler RV and Campground

Council presentation

June 21, 2016

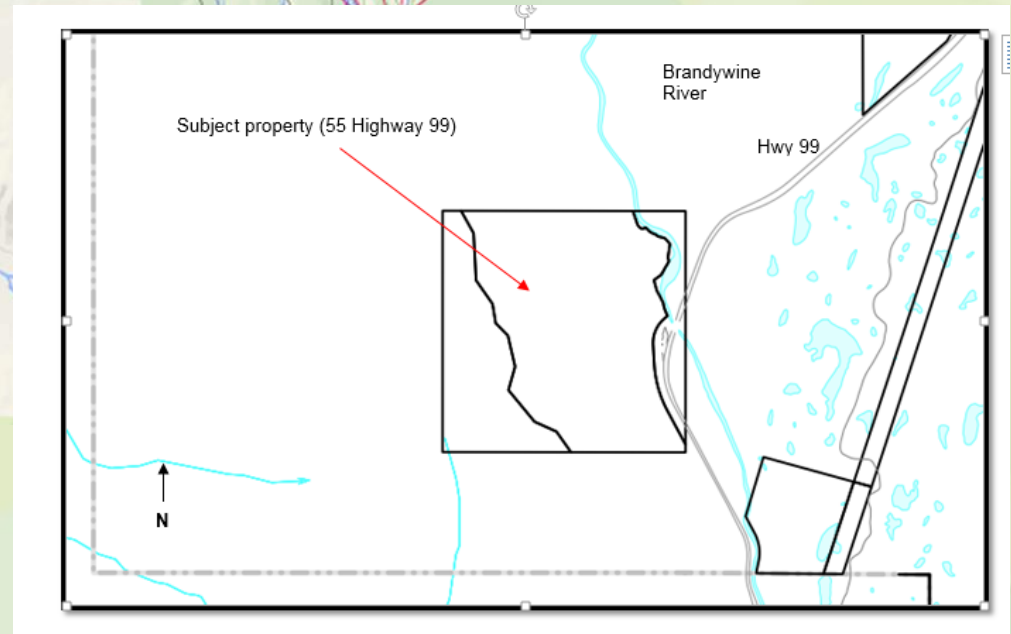
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Subject Lands



Subject Lands



Subject Lands



Background

- 2007 – RMOW boundary expansion
- January 26, 2016 Council resolution:
 - ✓ That Council authorize staff to prepare a zoning amendment bylaw for Whistler RV Park and Campground (55 Highway 99), proposing a custom zone for the property including uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

Bylaw 2110, 2016

- Site specific TV3 Zone, permitted uses:
 - ✓ Agriculture
 - ✓ Campground
 - ✓ Commercial water bottling
 - ✓ Detached dwelling
 - ✓ Recreational Vehicle Park
 - ✓ Auxiliary uses:
 - Restaurant
 - Retail
 - Outdoor recreation
 - Office & administration
 - Sani-dump
 - Auxiliary residential dwelling
- Excluded uses: golf course, garbage dump

Policy Analysis

- Whistler 2020

- ✓ Limits to growth are understood and respected.
- ✓ Whistler's core accommodation base and long-term investments made in the community are protected.
- ✓ Recreation and leisure is a core contributor to the Whistler economy.

Policy Analysis

- SLRD Area D OCP (Bylaw 940)
 - ✓ Retain the rural quality of the existing setting.
 - ✓ The only existing commercial development within the Sub Area is the Brew Creek Lodge.
- RMOW OCP (Bylaw 940)
 - ✓ The lands outlined in Schedule C are the primary focus for commercial accommodation.

Recommendation

- **That** Council consider giving first and second readings to 'Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016'; and further
- **That** Council authorize staff to schedule a public hearing for 'Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016', and to advertise for same in the local newspaper.

The Cheakamus Community Forest Open House is taking place Monday February 1, 2016 from 3-6:30 in the meeting room at the Hostel in Cheakamus Crossing. All members of the public are welcome to attend. The primary purpose is to show the harvesting plans for 2016 that will occur around the Cheakamus Crossing neighborhood. Cheakamus Crossing residents and home owners are encouraged to attend the meeting.

INFORMATION REPORTS

Third Quarter Financial
Report- 2015
Report No.16-009
File No. 4527

Moved by J. Crompton
Seconded by J. Ford

That Council receive Information Report No. 16-009 Quarterly Financial Report for the nine months ended September 30, 2015.

CARRIED

ADMINISTRATIVE REPORTS

Comprehensive
Emergency Plan - Annex
4 Evacuation Plan
Report No.16-004
File No. 850

Moved by A. Janyk
Seconded by S. Maxwell

That Council endorse the Comprehensive Emergency Management Plan - Annex 4 Evacuation Plan to replace the 2009 Draft Evacuation Plan.

CARRIED

Zoning Amendment
Bylaw Whistler RV Park
(55 HWY 99)
Report No.16-005
File No. RZ 1117

Moved by J. Ford
Seconded by A. Janyk

That Council authorize staff to prepare a zoning amendment bylaw for Whistler RV Park and Campground (55 Highway 99), proposing a custom zone for the property including uses currently allowed under Crown land lease No. 240674 and applicable uses from the Rural 1 zone of SLRD Zoning Bylaw 20, 1970.

CARRIED

2016 WORCA Fee for
Service Agreement
Report No.16-004
File No. 3004.02

Moved by J. Ford
Seconded by J. Grills

That Council authorizes the Mayor and Corporate Officer to execute a Fee for Service Agreement with the Whistler Off Road Cycling Association in the amount of \$50,000.00 for each of the 2016, 2017 and 2018 calendar years subject to approval of the annual Municipal budget.

CARRIED

Civic Platform
Report No.16-008
File No. 4028.01

Moved by J. Crompton
Seconded by J. Ford

That Council authorizes staff to begin contract negotiations with Avocette Technologies Inc. in regards to the supply, configuration and implementation of Accela Inc.'s Civic Platform software solution.

CARRIED

Report No.16-075
File No. DP1489

That Council approve the issuance of Development Permit DP 1489 for the proposed recycling facilities at 7600 and 8010 Nesters Road, which includes the following variances to the Zoning Bylaw:

- a) Vary the parking setback requirement for the parking area at 7600 Nesters Road; and
- b) Vary the fence height for the proposed dog enclosure fence system at 8010 Nesters Road,

as illustrated on the site plan, prepared by Bromley Projects Limited, dated June 13, 2016, engineering plans prepared by Behlen, dated June 7, 2016, environmental reports prepared by Cascade Environmental Consultants dated June 3 and 13, 2016, and the flood control measures report prepared by Kerr Wood Leidal Consulting Engineers dated June 13, 2016, and attached respectively as Appendices B, C, and D to Council Report No. 16 - 075, and subject to the resolution of the following items to the satisfaction of the General Manager of Resort experience:

1. Provide final QEP report for site monitoring measures for sediment and erosion control during construction to protect the adjacent wetland and buffer area located on the property from construction impacts;
2. Provide final QEP report and civil drawings for the permanent storm water management system;
3. Provide final concept landscape plan, and further

That Council authorize the Mayor and Municipal Clerk to amend Section 219 covenant BG265045 registered on the title of 7600 Nesters Road to attach the professional engineer report prepared by Kerr Wood Leidal Consulting Engineers, dated June 13, 2016, that confirms the proposed development of the regional recycling building on the property is safe for the uses intended.

CARRIED

RZ1117 - Whistler RV
Park - 55 Hwy 99
Report No.16-068
File No. RZ1117

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

That Council consider giving first and second readings to 'Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016'; and further

That Council authorize staff to schedule a public hearing for 'Zoning Amendment Bylaw (Whistler RV) No. 2110, 2016', and to advertise for same in the local newspaper.

CARRIED

LLR 1258 –
Fitzsimmons Pub New
Liquor Primary Patio
Report No.16-077
File No. LLR1258

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

That Council pass the resolutions attached as Appendix "A" to Administrative Report No. 16-077 providing Council's recommendation to the Liquor Control and Licensing Branch regarding an Application from the Fitzsimmons Pub for a Structural Change to Liquor Primary Licence No. 147386 to add a new outdoor patio with an occupant load of 26 persons.

CARRIED