



# WHISTLER

## MINUTES

**PUBLIC HEARING OF MUNICIPAL COUNCIL  
TUESDAY, DECEMBER 01, 2015 STARTING AT 6:00 PM**

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

### **PRESENT**

Mayor N. Wilhelm-Morden

Councillors: S. Anderson, J. Crompton, J. Ford, J. Grills, A. Janyk,  
S. Maxwell

Chief Administrative Officer, M. Furey  
General Manager of Infrastructure Services, J. Paul  
General Manager of Corporate and Community Services, N. McPhail  
General Manager of Resort Experience, J. Jansen  
Fire Chief, G. Playfair  
Deputy Corporate Officer, L. Schimek  
Deputy Fire Chief, C. Nelson  
Manager of Communications, M. Comeau  
Senior Planner, M. Laidlaw  
Senior Planner, J. Belobaba  
Manager, Environmental Stewardship, H. Beresford  
Planner, F. Savage  
Planning Technician, R. Licko  
Planning Technician, B. McCrady  
Recording Secretary, N. Best

The Public Hearing is convened pursuant to Section 890 of the *Local Government Act R.S.B.C. 1996, c. 323* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Temporary Use Permits) No. 2096, 2015" (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,

Explanation

An explanation was given by Jake Belobaba, Senior Planner concerning the proposed Bylaw.

Submissions

Doti Neidermayer, Executive Director, Whistler Arts Council;

- Shared her appreciation for the work, consultation and effort from all stakeholders to allow artisans to sell art within their homes in Whistler.
- There has been many meetings in the community with municipal staff, Community Cultural Officer.
- Process has been a great collaborative effort to realize the goals of the Cultural Plan and the Cultural Tourism Development Strategy.
- Exciting to see the identified initiatives being brought to fruition, however, some things need to be ironed out, but WAC is willing to work with RMOW and the community to come up with a positive solution.
- This is a strong endeavor and will build their reputation for arts and culture in Whistler as well.

Vincent Massey, 8605 Forest Ridge Drive;

- Have been living in Whistler since 1966, and worked out of a studio in their home since 1985.
- Vincent and his wife Cheryl have been selling their work and teaching pottery and weaving out of a small gallery next to their studio at their home.
- Have never had a complaint in 30 years of having an artist based studio.
- Degree in ceramics, and was taught how to promote, sell and get work out into the world.
- Galleries take 50% commission from the sale of artwork.
- People appreciate seeing and visit the studio of the artist where it is made
- Since 2010 the RMOW has produced many plans - The Cultural Tourism Plan, Cultural Tourism Development Strategy about the importance of allowing artists the opportunity to showcase and sell their art.
- The Temporary Use Permit (TUP) is deeply flawed:
  - Why would the RMOW burden the artists who already have to pay business license fees, property taxes, Chamber fees with a TUP fee?
  - Do you have examples of other communities that impose this high a fee for a home based artist studio?
  - Why were artists not consulted before the 1<sup>st</sup> and 2<sup>nd</sup> reading?
- This was fast, and not a good deal to artists.
- Restricted and would send a message to artists that they are not welcome.
- In closing, would like to have the Chief Cultural Office Anne Popma bring forward her recommendations.

Lisa Geddes, 8649 Forest Ridge Drive;

- Is an artist and has a home-based studio (but does not currently sell out of it).
- Exciting time to be an artist in Whistler right now, and has been a part of the consultations regarding the temporary use permits.

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- A couple of issues were already addressed in a letter included in the Council Package.
- Requested that Council direct staff to meet with the artists to consult about the proposed changes and is requesting more dialogue.

Tim Smith, 2725 Millars Pond Crescent

- Read from his submitted letter.
- Mayor Wilhelm-Morden commented that they had received his letter.
- Commented on the bylaw amendment. Purported purpose of the amendment is to support home based artist studios but in actual fact perhaps unwittingly will suppress the home based studios and encourage artists to quit, leave town or go underground.
- He is not an artist but has a home based business
- Used Sooke as an example of what that city charges home based studios which encourages artists to work out of their home with a lower fee.
- Feels the review of the artist by an oversight committee as something that will get the community in trouble.

David McComb 5138 Raven Lane

- Supports the previous speakers.
- Feels like there was a large hammer slammed down on artists for a small problem.
- Has never heard of any complaints in his 22 years in the community.
- We should make it simple, easy for the artists to make a living.
- Would like to see the bylaw reworked, there are some good aspects to it, but needs some serious reworking.

Kathleen Tennock, 8581 Drifter Way

- Is an artist with a home-based studio but does not currently sell out of her studio and is excited that this could be a consideration for the future.
- Concerned that the \$750.00 cost might be more of a fear-based fee rather than a purely administrative cost-recovery fee as a deterrent to grass root artists. This fee would discourage just starting out artists and is not in the best interest of the community and visitors looking for off the beaten track art.

Mayor Wilhelm-Morden called three times for submissions by the public.

L. Schimek, Deputy Corporate Officer, indicated there were eight letters in opposition to the proposed resolutions.

## ADJOURNMENT

Hearing no further comments, the Public Hearing adjourned at 6:26 p.m.

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Mayor N. Wilhelm-Morden

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Corporate Officer: L. Schimek