



WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, OCTOBER 20, 2015 STARTING AT 6:00 PM**

**In the Franz Wilhelmssen Theatre at Maurice Young Millennium Place
4335 Blackcomb Way, Whistler, BC V0N 1B4**

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 (Shipping Containers) No. 2093, 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,

Zoning Amendment
Bylaw (Shipping
Containers) No. 2093,
2015

PURPOSE OF ZONING AMENDMENT BYLAW (SHIPPING CONTAINERS) NO. 2093, 2015

In general terms, the purpose of the proposed Bylaw is to amend the Zoning Bylaw to prohibit shipping containers in residential areas, permit temporary uses of containers under certain circumstances and to add a new safety regulation for container venting.

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

Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing
Bylaw	October 6, 2015	Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015
Council Minutes	October 6, 2015	Minutes of the Regular Meeting of Council (DRAFT).
Council Report	October 6, 2015	Administrative Report 15-115 to Council.
Presentation Slides	October 6, 2015	Presentation slides by J. Belobaba, Senior Planner.
Council Minutes	May 12, 2015	Minutes of the Regular Meeting of Council.
Council Report	May 12, 2015	Administrative Report 15-066 to Council.
Presentation Slides	May 12, 2015	Presentation slides by J. Belobaba, Senior Planner.
Correspondence	June 1, 2015	Correspondence Crosland Doak, dated June 1, 2015, regarding storage containers in residential zones
Correspondence		Additional correspondence will be included as it is received.



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 FAX 604 932 8109

NOTICE OF PUBLIC HEARING

TUESDAY, October 20, 2015 – 6:00 P.M.

MAURICE YOUNG MILLENNIUM PLACE
Franz Wilhelmssen Theatre, 4335 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (Shipping Containers) NO.2093, 2015

PURPOSE:

In general terms, the purpose of the proposed Bylaw is to amend the Zoning Bylaw to prohibit shipping containers in residential areas, permit temporary uses of containers under certain circumstances and to add a new safety regulation for container venting.

INSPECTION OF DOCUMENTS:

A copy of the proposed Bylaw and relevant background documentation may be inspected on our website at www.whistler.ca/events (see October 20, 2015), or visit the Reception Desk at 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 October 20, 2015):

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.

**RESORT MUNICIPALITY OF WHISTLER
ZONING AMENDMENT BYLAW (SHIPPING CONTAINERS) NO.
2093, 2015**

A BYLAW TO AMEND ZONING AND PARKING BYLAW NO. 303, 1983

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

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 (Shipping Containers) No. 2093, 2015".

2. Zoning and Parking Bylaw No. 303, 1983 is amended as follows:

- (a) In Section 2, Definitions by deleting from the definition of "shipping container" the sentence:

"No services, including plumbing or electrical utilities, are to be provided to a shipping container."

- (b) By adding the following text, to Section 5, General Regulations, as subsection 28:

28. "Shipping Containers

28.1. Shipping containers are prohibited in all of the following zones:

- 28.1.1. Residential zones under Section 11
- 28.1.2. Multiple residential zones under Section 12
- 28.1.3. Tourist accommodation zones under Section 14
- 28.1.4. Tourist pension zones under Section 15
- 28.1.5. Lands north zones under Section 16

28.2. The storage of shipping containers is a permitted use in the IA1 Zone (Industrial Auxiliary One)

28.3. Notwithstanding Section 28.1, shipping containers are permitted in all zones under the following circumstances:

28.3.1. Containers may be temporarily placed on construction sites, for storage incidental to an active construction project on the site, provided that:

28.3.1.1. a building permit has been issued for construction on the site and the permit has not expired, and

28.3.1.2. the shipping container is removed once construction is completed or stopped or the building permit expires.

- 28.3.2. A single container may be placed on a parcel zoned for residential or commercial uses, for a period totalling no more than 14 days, for the purpose of loading or unloading goods to permanently relocate the residential or commercial use, provided that the name of the moving enterprise is displayed on the container and the enterprise holds a current municipal business license and a current provincial commercial transport license.
- 28.3.3. Containers may be temporarily placed on any parcel or on a highway for use in conjunction with the construction or repair of public infrastructure.
- 28.3.4. Containers may be temporarily placed on any parcel or on a highway for use associated with a municipally-approved special event.
- 28.4. The following restrictions apply to all shipping containers in the municipality:
- 28.4.1. No services, including plumbing, heating or electrical service, may be provided to or installed in a shipping container.
- 28.4.2. A container shall be vented to the satisfaction of the Whistler Fire Department.
- 28.4.3. Except for containers permitted under section 28.2, containers must be placed in accordance with the applicable siting requirements for auxiliary buildings.
- 28.4.4. Except for containers permitted in the IA1 Zone (Industrial Auxiliary One), containers may not be stacked.
- 28.4.5. Except for containers in the IA1 Zone (Industrial Auxiliary One) and containers authorized under Sections 28.3.1, 28.3.3 and 28.4.4 , a container may not be located on a parcel unless a building, for which an occupancy permit has been granted, is also located on the parcel.”

Given first and second readings this 6th day of October, 2015.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this ___ day of _____, ____.

Given third reading this this ___ day of _____, ____.

Approved by the Minister of Transportation this this ___ day of _____, ____.

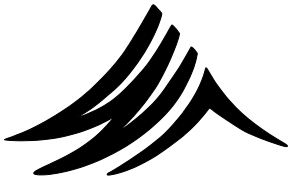
Adopted by the Council this this ___ day of _____, ____.

N. Wilhelm-Morden,
Mayor

L. Schimek,
Acting Corporate Officer

I HEREBY CERTIFY that this is a
true copy of Zoning Amendment
Bylaw (Shipping Containers) No.
2093, 2015.

L. Schimek,
Acting Corporate Officer



WHISTLER

MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, OCTOBER 6, 2015, STARTING AT 5:32 PM**

**In the Franz Wilhelmsen Theatre at Maurice Young 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
Director of Finance, K. Roggeman
Director of Planning, M. Kirkegaard
Acting Corporate Officer, L. Schimek
Manager of Communications, M. Comeau
Manager of Environmental Stewardship, H. Beresford
Utilities Group Manager, M. Day
Senior Planner, J. Belobaba
Senior Planner, M. Laidlaw
Planning Analyst, K. Creery
Planning Technician, R. Licko
Transit Management Demand Coordinator, E. DalSanto
Council Coordinator, M. Kish
Recording Secretary, A. Winkle

Squamish-Lillooet Regional District:
Director of Utilities & Environmental Services, J. Netzel

ADOPTION OF AGENDA

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

That Council adopt of the Regular Council agenda of October 6, 2015.

CARRIED

ADOPTION OF MINUTES

Moved by Councillor J. Grills
Seconded by Councillor J. Crompton

That Council adopt the Regular Council minutes of September 15, 2015.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

Joseph Farsang, 13-1380 Cloudburst Drive, Whistler:

J. Farsang asked Council who had read his letter.

Mayor Wilhelm-Morden responded that he could assume that all of Council had read his letter.

J. Farsang asked if it is customary for the Chief Administrative Officer in Whistler to disregard the Mayor's instructions, and if he can finally expect a written response from the Resort Municipality of Whistler to his letter addressed to Mayor and Council dated August 31, 2012. He asked if he could expect a detailed response to every point in the present letter, dated September 21, 2015. He had received an email from the Mayor that she had instructed the CAO to respond to his letter from August of 2012.

Mayor Wilhelm-Morden responded that Council can ask staff to respond to his letter. She commented that she is not certain what Council will do with the letter on this evening's meeting agenda, but they can receive correspondence and direct it staff.

J. Farsang commented that two months later he sent another letter and the Mayor responded saying she had asked the CAO to respond to the letter and as of today he has not received anything.

Mayor Wilhelm-Morden responded that if there hasn't been a response she will ask staff to respond to him.

J. Farsang asked if there is any reason the newly-elected Council had a tour of the sewage treatment plant, but was not shown the former Olympic Village and the future Bayly Park site.

Mayor Wilhelm-Morden responded that some of the members of Council went on a tour of municipal facilities, including the sewage treatment plant and composter, but did not see all municipal facilities on that tour.

J. Farsang asked if Council can be expected to make informed and educated decisions without studying the files and physically touring the subject location (Cheakamus Crossing) during an average working day. He commented on files not open to public viewing, and whether members of Council have looked at documents regarding the site, including former garbage dump.

Mayor Wilhelm-Morden responded that Council's usual practice is to receive staff reports on a particular issue, read reports, listen to staff, and talk amongst themselves and make a decision. On occasion, they may inspect a particular site, property, or facility, but that it is not necessary for every decision Council needs to make in the interest of getting business done.

J. Farsang asked if Council has contacted the appropriate authorities requesting the termination of the license of the quarry, and if yes, have they had any success yet.

Mayor Wilhelm-Morden responded that she did not want to get into any discussion of negotiations that municipal staff may have had with the quarry operator or the asphalt plant owner and operator. Council is aware of lease coming up in 2017 and have asked staff to take certain steps, but is not prepared to discuss that any further in public.

J. Farsang asked if there have been contact with the ministry who issues the license and renewal of the license of the quarry.

Mayor Wilhelm-Morden responded that she is not prepared to discuss negotiations they may be having or have had with the ministry, ministry officials, or the owner or operator of the gravel pit and quarry and asphalt plant.

J. Farsange quoted, "The only way it will be fixed: if you go public with it. Expose this blithe on this community through national and international news and media outlets. Take advantage of what social media has to offer" as it was suggested by one of the sitting Councillors. J. Farsang asked if the Mayor and Councillors agree with following this advice.

Mayor Wilhelm-Morden referenced his letter and his request for a response in writing. She asked him to keep his questions to questions not yet asked in his letter, as, assuming that Council refers his letter to staff, there will be a response to his letter in writing.

J. Farsang asked when the public can expect to hear why Bayly Park hasn't been opened yet.

J. Jansen responded that Bayly Park was opened a number of years ago.

J. Farsang asked for a record of an announcement that the park has opened to the public, as many areas are undeveloped or look like a dirt field.

J. Jansen responded that there are some works posed for the balance of the lands, and that some areas will be left undeveloped the parks plan does not encompass the complete site area at this time.

J. Farsang asked if the public can expect the Mayor and Council to request an independent investigation into this site under the BC *Public Inquiry Act*. Mayor Wilhelm-Morden responded that this question was in the letter, and Council will figure out later tonight how they will choose to respond to the letter and the questions he has posed in it.

PRESENTATIONS/DELEGATIONS

Fire Prevention Week

A presentation was given by Geoff Playfair, Fire Chief, regarding Fire Prevention Week.

Mature Action Committee

A presentation was given by Sue Lawther, Chair of the Mature Action Committee, regarding an update on the Mature Action Committee.

SLRD Solid Waste and
Resource Management
Plan

A presentation was given by James Hallisey, Manager of Transportation and Waste Management for the Resort Municipality of Whistler, and Janis Netzel, Director of Utilities & Environmental Services for the Squamish-Lillooet Regional District (SLRD), regarding the SLRD Solid Waste and Resource Management Plan.

MAYOR'S REPORT

Mayor Wilhelm-Morden reported that she will be leading a fact-finding mission to Colorado from October 12 to 16. This is something that Council has discussed doing for several years. The last time Council went to Colorado as a group was the late 1990's. Council will be accompanied by several staff and partner representatives. It is critical for Whistler to stay competitive, and the mission is an opportunity to learn from other resort communities and share best practices as part of a collaborative, two-way dialogue. The group will meet with council members and other key representatives in Aspen, Snowmass, Breckenridge, Vail, and Beaver Creek. Key areas of focus will include areas of success in these regions such as the Vail airport and other regional transportation initiatives, arts and culture programs and facilities in Aspen, sustainability practices and marketing in Breckenridge, and so on. Following the mission, findings will be compiled and made public. This trip aligns with recommendations of Whistler's Economic Partnership Initiative final report and will contribute to benchmarking and planning so that Whistler continues to remain competitive. Findings and recommendations will be incorporated into the upcoming 2016 Corporate Planning and budget process. Earlier today, Council received their itineraries and background reading.

Mayor Wilhelm-Morden reported that Council toured the Audain Art Museum today, to get an idea of the size and scale of it before touring the Aspin Art Museum. She thanked Councillor J. Grills and Suzanne Greening for setting up the tour.

Mayor Wilhelm-Morden reported that two weeks ago, she attended the 2015 UBCM Annual Convention in Vancouver along with the rest of Council and some senior staff.

Mayor Wilhelm-Morden reported that during the convention, the Resort Municipality of Whistler (RMOW) brought forward an emergency resolution passed by Whistler Council, along with the Councils of Pemberton, Squamish, and the Squamish-Lillooet Regional District, urging the Government of Canada to act immediately to accelerate the process and to significantly increase federal commitments to receive Syrian refugees in Canada matching or exceeding historic levels. It was passed by delegates at the convention on September 25 and Mayor Wilhelm-Morden commented on the support from neighbours and UBCM delegates for this emergency resolution. She commented that UBCM has never passed a resolution before commenting on the federal government's humanitarian efforts or the resettlement of refugees. She reported that she has since sent this UBCM resolution to the Government of Canada for acknowledgement and action. She expressed hope that all levels of government can work together to provide additional levels of resettlement for those impacted by the violence in Syria.

Mayor Wilhelm-Morden reported that staff members are engaged in the issue. One attended a multi-hour meeting in Squamish on Saturday to learn about efforts that are being organized there. She and the Mayor also attended a workshop by telephone and web on the BC Refugee Readiness Fund, a \$1,000,000 one-time funding program by the BC government. A report will be prepared by staff and will come to Council in the coming weeks for further steps for Whistler to take.

Mayor Wilhelm-Morden reported on meetings with other members of Council and several provincial Ministers. Mayor Wilhelm-Morden reported that a flat sheet highlighting the RMOW's position on the proposed Garibaldi at Squamish development was provided to all of the Ministers they met. Discussions were held regarding the need to move forward with updating Whistler's Official Community Plan and to continue to work with the First Nations with the Minister of Community, Sport and Cultural Development Peter Fassbender. In discussions with Minister of Transportation and Infrastructure Todd Stone, he agreed to have the Ministry contribute funding toward a Sea to Sky corridor traffic study led by the RMOW, and to have Ministry staff participate in Whistler's Transportation Advisory Group. She commented their concerns about challenges and risks presented by the proposed Garibaldi at Squamish development proposal were heard by the Minister of the Environment Mary Polak. She reported that in the meeting with senior staff from the Ministry of Forests, Lands and Natural Resources, they expressed concerns about the proposed Garibaldi at Squamish development and indicated their support for Whistler Blackcomb's Master Development Agreement.

Mayor Wilhelm-Morden reported that they met with Minister of Jobs, Tourism and Skills Training Shirley Bond and discussed RMI funding renewal and changes to the MRDT program. They thanked minister for spearheading the RMI renewal this past year. We had a meeting of the Resort Community Collaborative and agreed to form a working group of six members to continue to build the case for an extension of the RMI funding in 2018 by the Province. The municipality will be one of the key members of this committee.

Mayor Wilhelm-Morden reported that the fourth International Day of the Girl takes place this Sunday, October 11. International Day of the Girl was adopted by the United Nations to recognize girls' rights around the world. Each year monuments are lit up in pink, including the Empire State Building, the Great Pyramids and the London Eye, and in Canada, Science World, Niagara Falls and CN Tower. She reported that Whistler is participating this year by lighting the Olympic Rings at Whistler Olympic Plaza in pink. She invited the community to take time this Sunday to celebrate girls' rights and the need to help create a brighter future for girls around the world.

Mayor Wilhelm-Morden reported that Whistler had an exceptionally busy summer. Tourism Whistler research recently confirmed that August was the best month ever for rooms nights sold. August followed record breaking July and June as well. The summer also saw positive trends in increased destination visitors and revenue available per room. These positive results are likely due to great weather, events, marketing and Whistler's reputation. She

extended congratulations to the business community, partner organizations and municipal departments for delivering such an outstanding summer experience. Mayor Wilhelm-Morden quoted from a municipal brochure from the late 70s, here is a quote from it:

“The Resort Municipality of Whistler has embarked on an exciting program to develop Whistler Village into a major year-round resort. While Whistler is now highly regarded as a winter resort, these new developments will make the new Whistler complex the finest alpine resort in the Northwest and will rank it amongst the world’s best.”

Mayor Wilhelm-Morden commented that seeing the results from this summer, and what has continued to build in the winter, that this vision has been made a reality.

Mayor Wilhelm-Morden reported that the Whistler Public Library made it on Canadian Geographic's 10 most beautiful Canadian libraries list. Other city libraries on the list include Ottawa, Vancouver, Edmonton, and Halifax placing it in very esteemed company. Our library is one of the busiest libraries in the province with almost 250,000 visitors each year. It was built to blend into its natural surroundings, and has many green and gold features that make it unique. Gold is the level the Whistler Public Library earned through LEED certification. Mayor Wilhelm-Morden congratulated the library team and the Resort Experience team for the planning, building and operation of the space, and for the community and visitors for embracing it.

Mayor Wilhelm-Morden reported that readers of SKI Magazine have once again confirmed what locals have long known, Whistler Blackcomb is the best. For a second year in a row, and the third time in the past four years, Whistler has topped the polls in the magazine's annual reader survey. The online survey saw 41,000 resort rankings submitted by SKI Magazine readers and ranks the top 50 North American ski resorts in a variety of categories valued by ski and snowboard enthusiasts. In addition to being voted No. 1 in overall ski resort ranking, Whistler Blackcomb received top marks in the terrain variety, off-hill activity and après categories, solidifying the resort truly has something to offer everyone. She extended congratulations to Whistler Blackcomb, partners, the entire business community and municipal departments for the delivery of top ranking resort-wide experiences.

Mayor Wilhelm-Morden reported that Whistler's 40th anniversary celebrations continue with a special exhibit by the Whistler Arts Council at The Gallery at Millennium Place until October 12, entitled “40 Years, 40 Stories – Telling the Story of Whistler.” The exhibit sees 40 local artists share their stories and memories through the written word, paintings, sculpture, fibre arts, architectural drawings and photography. Admission is free.

Mayor Wilhelm-Morden reported that last week the Amazing Race Canada television show broadcast its final leg in Whistler. The show featured everything from Whistler Olympic Plaza and the Squamish Lil'wat Cultural Centre to riding to the gondola up Whistler Mountain to skiing off the summer freestyle jumps. As always, Whistler showcased beautifully to a TV audience of three million Canadian viewers why this community is a special place. The

show was filmed earlier this summer and involved collaboration between Tourism Whistler, Whistler Blackcomb the RMOW and other organizations featured. This type of coverage is a unique way to continue to build Whistler awareness in key markets, and she congratulated all involved.

Mayor Wilhelm-Morden reported that the third annual Whistler Village Beer Festival in September saw around 3,000 people attending the Saturday Main Event and 1,200 attending the Sunday Main Event despite the rainy weather. Every year the festival continues to substantially grow from its first year in 2013. This year, the event was very busy and more than 75 breweries attended - many of them from British Columbia and the Pacific Northwest.

Mayor Wilhelm-Morden reported that the all-female mud race Mudderella made its debut in Whistler last Saturday with approximately 9,500 participants tackling 12 obstacles while running up and down the lower slopes of Blackcomb Mountain. The municipality invests in events such as Mudderella and other sport and cultural tourism initiatives through the Festival, Events and Animation (FE&A) program. She commented that by all accounts, Mudderella is a great addition to our event roster and helps deliver on our promise that there is always something happening in Whistler.

Mayor Wilhelm-Morden reported that the RMOW and CN Rail have worked together on significant pedestrian and cyclist safety upgrades to the Function Junction rail crossing. The upgrades include a wider crossing and concrete panels on either side of the tracks to minimize gaps between the crossing surface and the rails. These upgrades will be installed between 7:00 a.m. and 7:00 p.m. on Wednesday, October 14. Traffic will alternate in a single-lane over the crossing on a temporary gravel bypass during the upgrade installation.

Mayor Wilhelm-Morden reported that in recognition of Pregnancy and Infant Loss Awareness Day on October 15, the Resort Municipality of Whistler will be changing the lights on the Fitzsimmons Creek bridge to pink and blue to show support for affected families in Whistler.

Mayor Wilhelm-Morden welcomed Misashi Kai, a grade ten student from Whistler's Sister City in Kariuzawa, Japan. He is the first student from our sister city to spend an entire school year in Whistler, and will be attending Whistler Secondary School.

Councillor A. Janyk thanked staff for the beautiful appearance of the municipality recently.

Councillor J. Grills commented on the focus of tourism from the provincial government at UBCM, including recognition from the premier in her closing remarks. He commented that the coordinated message coming from the mayors from the Sea-to-Sky corridor and chair from the SLRD.

Mayor Wilhelm-Morden commented on the number of times Council was asked about Whistler's affordable housing program. She suggested they approach UBCM to have Marla Zucht, Whistler Housing Authority (WHA), to present at one of the morning seminars next year or be part of a larger panel

in response to the interest. Councillor J. Crompton commented that the Lower Mainland Local Government Association executive meetings were held in Whistler, and will be meeting here again here in May, and that it may be a good opportunity for the WHA to present there as well.

Councillor S. Maxwell commented on emails received from members of the community regarding the Environmental Bill of Rights, and reported that the resolution was passed at UBCM.

INFORMATION REPORTS

Second Quarter
Financial Report
Report No. 15-111
File No. 4527

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

That Council receive Information Report No. 15-111 Quarterly Financial Report for the six months ended June 30, 2015.

CARRIED

ADMINISTRATIVE REPORTS

DP 1430 – 4321 Village
Gate Boulevard – Blue
Shore Canopy
Report No. 15-112
File No. DP 1430

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

That Council approve the issuance of Development Permit DP 1430 for the Blue Shore Credit Union development to add two small weather protection canopies over existing condensing units located within the municipal road right of way, as per the architectural plans no. ASK 1-3 prepared by Atelier Pacific Architecture Inc., dated September 15, 2015, attached as Appendix B to Council Report No. 15-112, subject to the resolution of the following items to the satisfaction of the General Manager of Resort Experience:

1. Resolution of canopy colours to match the existing building colour scheme;
2. Adherence to the Whistler Village Construction Management Strategy; and,
3. Amendment of registered easement agreement BB1769869 to allow for the construction of the canopies on municipal property; and further,

That Council authorize the Mayor and Corporate Officer to execute the referenced encroachment agreement.

CARRIED

DVP 1111 - 3318
Panorama Ridge –
Variances to Building
Setbacks, Building
Height, Parking
Setbacks, and Parking
Stall Length
Report No. 15-113
File No. DVP 1111

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

That Council approve the issuance of Development Variance Permit DVP 1111 to remove the existing encroaching covered stairway from the road right of way, ratify the existing parking, and utilize the existing concrete retaining structure for a new carport and entry stairway located at 3318 Panorama Ridge by varying “Zoning and Parking Bylaw 303, 1983” as noted below:

1. Vary the front setback for an entry stairway and associated entry stairway roof support columns from 7.6 m to 1.05 m;
2. Vary the front setback for an entry stairway roof overhang from 6.1 m to 0.25 m;
3. Vary the Northeast side setback for an entry stairway from 3.0 m to 1.2 m;
4. Vary the Northeast side setback for an entry stairway roof overhang from 2.0 m to 0.8 m;
5. Vary the front setback for carport support columns from 2.0 m to 1.0 m;
6. Vary the front setback for a carport roof overhang from 1.0 m to 0.5 m;
7. Vary the maximum allowable carport height from 3.5 m to 4.0 m;
8. Vary the length for a covered parking stall from 5.5 m to 5.3 m;
9. Vary the front setback for surface parking from 1.5 m to 0.0 m;
10. Vary the front setback for upper floor balcony support columns from 7.6 m to 5.3 m;
11. Vary the front setback for the upper floor balcony overhang from 6.1 m to 5.0 m,

All as shown on Architectural Plans 1, 2, 3, 4, 5, and 6 prepared by Kat Sullivan Design and dated 26/7/15 and attached to Administrative Report No. 15-113 as Appendix B.

CARRIED

DVP 1107 – 8617
Lauren Woolstencroft
Way – Building Setback
Variances
Report No. 15-114
File No. DVP 1107

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

That Council approve the issuance of Development Variance Permit DVP1107 for the proposed development located at 8617 Lauren Woolstencroft Way to vary the setbacks as follows for a proposed detached dwelling:

- a) Vary the rear setback from 6 metres to 3 metres,
- b) Vary the rear roof overhang setback from 5 metres to 2.54 metres,

as shown on the plans prepared by Murdoch and Company Architecture and Planning Ltd, dated August 20, 2015, attached as Appendix B to Administrative Report No. 15-114.

CARRIED

Zoning Regulations for
Shipping Containers
Report No. 15-115
File No. RZ1107

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

That Council consider giving first and second readings to Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015 and to advertise for same in the local newspapers; and further,

That Council direct staff to undertake a proactive enforcement and notification approach for properties with containers that are not in compliance with RMOW bylaws.

Opposed: Councillor J. Ford

CARRIED

Transportation Advisory
Group (TAG) Updated
Terms of Reference
Report No. 15-116
File No. 546

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

That Council adopt the updated Transportation Advisory Group (TAG) Terms of Reference dated October 6, 2015 attached to Administrative Report No. 15-116 as Appendix C, with the following amendments:

1. Change the composition of the members to include the Mayor and two councillors.
2. In section 3.1(b) regarding "Responsibilities," remove the words "have the added benefit of";
3. In section 4(f) regarding "Guiding Principles," add the words "and reduce GHGs." to the end of the phrase;
4. In section 3.1(c) regarding "Responsibilities," following the words "Monitor, discuss and assess transportation operational issues with a focus on reducing peak time traffic congestion" add a comma before the words "reducing greenhouse gas emissions and moving towards Whistler's environmental targets."

That Council direct staff to advertise for applications for the three Citizen-at-Large positions on the TAG to be appointed by Council at the November 3, 2015 Closed meeting of Council;

That Council direct staff to contact the Whistler Chamber of Commerce, Tourism Whistler, Whistler Blackcomb, the Ministry of Transportation and Infrastructure and BC Transit to forward the names of their appointees to the Whistler Transportation Advisory Group by November 2, 2015; and further,

That Council direct the General Manager of Infrastructure Services to organize an inaugural meeting for TAG as soon as can be reasonably arranged.

CARRIED

Whistler Bear Working
Group - Proposed
Select Committee of
Council
Report No. 15-117
File No. 8396

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

That Council approve the Whistler Bear Working Group as a Select Committee of Council; and further,

That the committee be named the Whistler Bear Advisory Committee.

CARRIED

Comprehensive Water
Conservation and
Supply Plan Update
Report No. 15-118
File No. 220

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

That Council endorse the ongoing water conservation and supply plan described in Administrative Report No. 15-118.

CARRIED

Permissive Exemption
Report No. 15-119
File No. Bylaw 2094

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

That Council consider giving first three readings to Taxation Exemption for Not-For-Profit Organizations Amendment Bylaw No. 2094, 2015.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

May Long Weekend
Committee

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

That minutes of the May Long Weekend Committee meeting of August 12, 2015.

CARRIED

BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment
Bylaw (Shipping
Containers) No. 2093,
2015
File No. RZ1107

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

That Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015 receive first and second readings.

Opposed: Councillor J. Ford

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Taxation Exemption for
Not-For-Profit
Organizations
Amendment Bylaw No.
2094, 2015

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

That Taxation Exemption for Not-For-Profit Organizations Amendment Bylaw No. 2094, 2015 receive first, second, and third readings.

CARRIED

BYLAWS FOR ADOPTION

Parking and Traffic
Amendment (Speed
Limit) Bylaw No. 2095,
2015
File No. 512.12

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

That Parking and Traffic Amendment (Speed Limit) Bylaw No. 2095, 2015 be adopted.

CARRIED

OTHER BUSINESS

There were no items of Other Business.

CORRESPONDENCE

Spruce Grove Park
Use
File No. 8774

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

That correspondence from Greg McDonnell, dated September 20, 2015, regarding concerns with the noise and alcohol from the baseball league at Spruce Grove Park be received and referred to staff.

CARRIED

Bayly Park
File No. 8241.01, 714

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

That correspondence from Joseph Farsang, dated September 21, 2015, regarding Bayly Park and the quarry and asphalt plant in Cheakamus Crossing be received and referred to staff.

CARRIED

Illegally Zoned Short
Term Rental
Accommodations
File No. 3009

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

That correspondence from Keenan Moses, dated September 22, 2015, regarding illegally zoned short term rental accommodations be received and refer to staff.

CARRIED

Cement Association of
Canada
File No. 3009

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

That correspondence from Michael McSweeny, President and CEO of the Cement Association of Canada, dated September 30, 2015, requesting a meeting with Council and staff be received and referred to staff.

CARRIED

Waste Reduction Week
File No. 3009.1

Moved by Councillor S. Maxwell
Seconded by Councillor S. Anderson

That correspondence from Jessie Christophersen, Information Services Assistant for the Recycling Council of British Columbia, dated September 14, 2015, requesting the proclamation of October 19th-25th, 2015 as National Waste Reduction Week be received and Waste Reduction Week be proclaimed.

CARRIED

ADJOURNMENT

Moved by Councillor J. Crompton

That Council adjourn the October 6, 2015 Council meeting at 8:21 p.m.

CARRIED

Mayor N. Wilhelm-Morden

Acting Corporate Officer:
L. Schimek



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 6, 2015

REPORT: 15-115

FROM: Resort Experience

FILE: RZ1107

SUBJECT: ZONING REGULATIONS FOR SHIPPING CONTAINERS

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 (Shipping Containers) No. 2093, 2015; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015 and to advertise for same in the local newspapers; and further,

That Council direct staff to undertake a proactive enforcement and notification approach for properties with containers that are not in compliance with RMOW bylaws.

REFERENCES

Administrative Report 15-066: Council Report from May 12, 2015 (not attached).

PURPOSE OF REPORT

The purpose of this report is to present Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015 to Council for consideration of first and second readings, to authorize a public hearing and to direct staff to undertake a proposed proactive enforcement approach. The proposed bylaw amends the municipality's Zoning Bylaw to prohibit shipping containers in all residential neighbourhoods within the municipality, with the exception of limited temporary use for active construction and moving. The bylaw also proposes to add a general requirement for container venting to address safety concerns with container use.

DISCUSSION

Background

At the May 12th, 2015 Council meeting, Council passed a resolution directing staff to prepare a zoning amendment bylaw to prohibit the use of shipping containers in residential zones and regulate the use of shipping containers in other zones for conventional shipping and storage uses. The report presented to Council, Administrative Report 15-066 provided background information on the use of containers, specifically issues related to neighbourhood compatibility, health and safety, and existing municipal regulations governing their use.

This report presents the zoning amendment bylaw that has been prepared as directed by Council, for Council's consideration. It is based on further review of existing containers, their location and use, zoning classifications in the RMOW, building and fire code considerations, review of regulations of other communities, and legal review.

Proposed bylaw

The proposed bylaw has been prepared to focus on prohibition of shipping containers in all residential neighbourhoods in Whistler. The bylaw prohibits this use in the following zones which are primarily zoned for residential and accommodation uses:

1. SECTION 11 RESIDENTIAL ZONES
2. SECTION 12 MULTIPLE RESIDENTIAL ZONES
3. SECTION 14 TOURIST ACCOMMODATION ZONES
4. SECTION 15 TOURIST PENSION ZONES
5. SECTION 16 LANDS NORTH ZONES

The proposed bylaw allows certain temporary uses of containers as follows:

- Containers for construction-related storage that are placed on active construction sites where such construction is authorized under a valid building permit.
- A single container, owned by a licensed moving company to facilitate moving a household or business for up to 14 days.
- Containers placed on a parcel or highway to be used in conjunction with the construction or repair of public infrastructure.
- Containers placed on a parcel or highway to be used temporarily as part of an RMOW-approved special event.

Staff has reviewed and is not proposing to change the use of shipping containers in any other zones from currently existing regulations.

Safety regulations

Containers are already subject to a number of regulations in the BC Building Code and Fire Code. The Zoning Bylaw also prohibits installing services, such as wiring or plumbing, in shipping containers. These rules will not change with the adoption of the proposed bylaw. Additionally, a new rule requiring containers to be vented is proposed. This rule is a precautionary measure intended to prevent containers from exploding by allowing the release of vapours through the vent..

Enforcement

After the May 12th Council meeting staff began collecting information on existing containers in Whistler. To date a number of containers have been identified many of which are in violation of existing zoning and/or health and safety rules.

Staff recommends that Council direct staff to take a proactive enforcement and compliance approach to pursue removal of containers from areas where they are not a permitted use, are in violation of existing bylaws or where safety infractions exist. Staff are proposing that property owners be given a reasonable period of time to address these violations.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewsapes and evoking a dynamic sense of place.	New regulations for shipping containers will protect the visual aesthetic of residential areas.
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses	Encouraging proper use of containers will contribute to properly constructed and durable building stock.
Built Environment	The new and renovated built environment has transitioned towards sustainable management of energy and materials.	Proposed regulations will still allow for responsible, creative and properly designed uses and recycling of shipping containers.
Built Environment	Streamlined policies, regulations and programs have helped to efficiently and effectively achieve green development.	
Health and Social	The resort community is safe for both visitors and residents, and is prepared for potentially unavoidable emergency events.	New venting rule will reduce hazards associated with shipping containers

OTHER REGULATIONS: OCP

OCP Policy	Comments
<p>4.4.1 The Municipality requires light industrial sites to support its local economy. Uses for a site or sites are to be suitable and appropriate to the resort. Industrial sites that are to be designated should:</p> <ul style="list-style-type: none"> - Be in close proximity to Highway 99. - Have little or no adverse visual impacts to adjacent properties or the Highway. - Have been previously disturbed with similar uses. - Be for light industry purposes and do not create adverse circumstances with adjacent and non-industry properties such as noise, obnoxious odours, glare, vibration, dust, or similar nuisance. 	The Zoning Bylaw reinforces this policy by prohibiting shipping containers in residential areas.

BUDGET CONSIDERATIONS

All costs of preparing the bylaw, and notifying property owners can be covered under the existing department budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

A public hearing will be required prior to adoption of the bylaw. Property owners with containers that are currently in violation of RMOW bylaws will be notified and given a period of time in which they must remove their containers.

SUMMARY

The proposed zoning amendment bylaw will uphold built form and health and safety objectives of Whistler 2020 and the Official Community Plan. Further, pursuing enforcement of existing bylaws against existing containers will address significant health and safety issues and reduce the number of undesired containers in Whistler. Staff recommend endorsing the recommendations in this report as proposed.

Respectfully submitted,

Jake Belobaba
SENIOR PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

RZ 1107

ZONING REGULATIONS FOR

SHIPPING CONTAINERS

Council Presentation

October 6th 2015

RESORT MUNICIPALITY OF WHISTLER

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

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



Background

May 12th 2015 Resolution of Council:

That Council direct staff to prepare a zoning amendment bylaw to prohibit the use of shipping containers in residential zones and regulate the use of shipping containers in other zones for conventional shipping and storage uses.

Proposed Bylaw

1. Prohibits containers in residential areas.
2. Establishes permitted temporary uses of containers.
 - ✓ Construction sites
 - ✓ Moving
 - ✓ Special events
 - ✓ Infrastructure repairs/construction
3. Safety rules.
 - ✓ Existing Building and Fire Code rules still apply
 - ✓ New zoning rule requires venting to reduce explosion risks

Proposed Approach to Enforcement and Compliance

- A number of containers are in violation of existing bylaws
- Reasonable period of time for property owners to address these violations.

Recommendation

- **That** Council consider giving first and second readings to Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015; and further,
- **That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Shipping Containers) No. 2093, 2015 and to advertise for same in the local newspapers; and further,
- **That** Council direct staff to undertake a proactive enforcement and notification approach for properties with containers that are not in compliance with RMOW bylaws.



WHISTLER

MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, MAY 12, 2015, STARTING AT 5:30 PM

**In the Franz Wilhelmsen Theatre at Maurice Young 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 Corporate and Community Services, N. McPhail
Acting General Manager of Infrastructure Services, M. Day
Acting General Manager of Resort Experience, J. Rae
Director of Finance, K. Roggeman
Director of Planning, M. Kirkegaard
Corporate Officer, S. Story
Manager of Communications, M. Comeau
Manager of Special Projects, T. Battiston
Manager of Parks Planning, M. Pardoe
Senior Planner, J. Belobaba
Planner, R. Brennan
Planning Analyst, K. Creery
Recording Secretary, A. Winkle

RCMP
Staff Sergeant S. LeClair
Inspector N. Cross

John Bosio, Merje Environments & Experiences

ADOPTION OF AGENDA

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

That Council adopt of the Regular Council agenda of May 12, 2015.

CARRIED

ADOPTION OF MINUTES

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

That Council adopt the Regular Council minutes and Public Hearing minutes
of April 28 2015.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

There were no questions from the public.

PRESENTATIONS/DELEGATIONS

IRONMAN Canada

A presentation was given by Evan Taylor, Race Director, regarding the Subaru IRONMAN Canada in Whistler.

Tourism Report

A presentation was given by Barrett Fisher, President and CEO of Tourism Whistler, regarding the tourism report: *Tourism in Canada — Seizing Economic Advantage*.

Moved by Councillor J. Crompton

Seconded by Councillor J. Ford

That *Tourism in Canada — Seizing Economic Advantage* be referred to FCM and UBCM for distribution to members.

CARRIED

MAYOR'S REPORT

Mayor Wilhelm-Morden reported that residents and visitors in the Bayshores and Spring Creek areas will have noticed smoke recently. Wildfire thinning is currently taking place in a 14.7-hectare area above the Millar's Pond and Spring Creek subdivisions. The thinning removes ground brush and debris, as well as trimming branches and removing some trees to reduce the risk of wildfire in Whistler. The work reduces forest fuel loads identified in the Community Wildfire Protection Plan. The forest debris is being burned on site, so smoke will be visible nearby. By taking the approach of burning in place we have been able to better use our funds and get more of the Valley covered for fire prevention treatment, thus reducing the overall risk in a greater area. We have also been able to avoid having to build road access to the area which would have negatively impacted the iconic Tunnel Vision Mountain Bike trail. As with any smoke, please call Whistler Fire Rescue Service if you see anything of concern.

Mayor Wilhelm-Morden reported that the Whistler Public Library is extending its weekly opening hours by six hours per week. Starting Friday, May 15, the library will be open:

- 10 a.m. to 7 p.m. Monday to Thursday
- 10 a.m. to 6 p.m. on Friday
- 11 a.m. to 5 p.m. on Saturday and Sunday

The increased hours are a result of budgeting decisions by Council and ongoing demand from the community to increase service. To celebrate the new hours, the Rotary Club of Whistler is having a pancake breakfast by donation at 10 a.m. on Friday, May 15 at the library. The entire community is invited.

Mayor Wilhelm-Morden reported that the Cheakamus Community Forest will soon be offering carbon offsets. This was made possible by an Atmospheric

Benefits Sharing Agreement made with the Province of British Columbia. This was the first agreement of its type signed with a community forest in B.C. She extended thanks to the Community Forest partners, the Lil'wat and Squamish First Nations, and others who are involved in this initiative. The carbon program provides additional funding for the Community Forest's goals. The carbon program was established as part of the Ecosystem Based Management Plan for the forest a number of years ago and has been in development since. The Ecosystem Based Management Plan involves significantly reduced harvest volumes, extended harvest rotations, expanded reserves, protection of old growth forests and important wildlife habitat.

Mayor Wilhelm-Morden reported that the Alpine Water Main Project open house was held last week, and she thanked the 30 participants who attended. The Resort Municipality of Whistler will be replacing all the unlined cast iron pipe in the Alpine neighbourhood with modern plastic pipe. The project will improve: drinking water quality, water flow and pressure, water distribution infrastructure, and lower community energy costs. Effort is being made to reduce the impact on residents by maintaining water supply and driveway access to each house. This project will take two years. The RMOW is committed to excellence in our water system and this project contributes to that. Information is available on the municipal website for those who were unable to attend.

Mayor Wilhelm-Morden reported that Fire Chief Sheila Kirkwood has announced her retirement after 29 years with the Whistler Fire Rescue Service. Sheila joined Whistler Fire Rescue Service as a volunteer firefighter in January 1986. She moved up over the years and became Whistler's Fire Chief in November 2013. She will retire from her position by September 1 this year. During Sheila's career she has contributed significantly to the Whistler Fire Rescue Service as well as the community at large. Recently she has lead the significant community wildfire prevention project, the completion of the Fire Service Review, as well as extensive community outreach and education work. There will be an official Change of Command Ceremony to mark Chief Kirkwood's departure and to mark the appointment of the new Chief later in the year. This evening I would like to share with you a video of MLA Jordan Sturdy's remarks in the B.C. Legislature. *A video of MLA Jordan Sturdy acknowledging Fire Chief Sheila Kirkwood was shown.*

Mayor Wilhelm-Morden reported that on May 4, 2015 an in-camera joint Council Meeting was held with the District of Squamish to discuss issues of mutual concern. Mayor Wilhelm-Morden reported that Council has a similar meeting scheduled with the Village of Pemberton in the near future, as part of an initiative to introduce the new Council to partners in the corridor.

Mayor Wilhelm-Morden reported that on Tuesday, May 19, 2015, she will be speaking as part of a panel discussion at a Women of Whistler event at the Squamish Lil'wat Cultural Centre: *Breaking Trail - Unconventional Career Wisdom from Whistler Women*. Ticket are available through the Chamber of Commerce.

Councillor S. Anderson reported that on Monday morning he met with the members of the Illegal Spaces Task Force, and that Duane Jackson has

agreed to stay on as Chair of the committee. A discussion was held to update the terms of reference and to consider renaming the committee.

INFORMATION REPORTS

May Long Weekend
Committee Update
Report No. 15-061
File No. 2100

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

That Information Report No.15-061 regarding the May Long Weekend Committee Update be received.

CARRIED

Master Wayfinding
Strategy – Phase II
Report No. 15-062
File No. P032

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

That Information Report No. 15-062 regarding Phase II of the Master Wayfinding Strategy project be received.

CARRIED

ADMINISTRATIVE REPORTS

RZ1091- 7115 Nesters
Road – Amendments to
TP4 Zone
Report No. 15-063
File No. RZ1091, Bylaw
2073

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

That Council consider giving third reading to Zoning Amendment Bylaw (Heidi Haus Pension) No. 2073, 2015.

CARRIED

4154 Village Green –
Rezoning for Crystal
Lodge Restaurant
Report No. 15-064
File No. RZ 1102

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

That Council endorse further review of Rezoning Application No.1102: Crystal Lodge Restaurant.

CARRIED

Blueberry Land Use
Contract Amendment to
the Gross Floor Area
Definition for Single-
Family and Duplex
Dwelling
Report No. 15-065
File No. RZ1106, Bylaw
2088

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

That Council consider giving first and second readings to Land Use Contract Amendment Authorization Bylaw (Blueberry Hill) No. 2088, 2015; and,

That Council authorize the Corporate Officer to schedule a public hearing regarding Land Use Contract Amendment Authorization Bylaw (Blueberry Hill) No. 2088, 2015 and to advertise for same in the local newspapers; and further,

That Council authorize the Mayor and Corporate Officer to execute any resultant legal documents upon adoption of the bylaw.

CARRIED

Zoning Regulations for
Shipping Containers
Report No. 15-066
File No. RZ1107

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

That Council direct staff to prepare a zoning amendment bylaw to prohibit the use of shipping containers in residential zones and regulate the use of shipping containers in other zones for conventional shipping and storage uses; and further

That Council direct staff to report to Council with respect to any applications to install shipping containers in residential zones while the bylaw is under preparation in accordance with section 929 of the *Local Government Act*.

Opposed: Councillor J. Crompton, Councillor J. Ford

CARRIED

SEC 0013 – 6670
Crabapple Drive – Flood
Proofing Exemption
Report No. 15-067
File No. SEC 0013

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

That Council grant an exemption per Section 910 of the Local Government Act – “Construction requirements in relation to flood plain areas”, to allow for the construction of a new detached dwelling at 6670 Crabapple Drive varying the setback requirement from 15 metres to 11 metres; and further,

That Council authorize the Mayor and Corporate Officer to execute a Section 219 covenant on the title of the subject property for this exemption, attaching the engineering reports prepared for 6670 Crabapple Drive by Thurber Engineering Ltd, dated April 15, 2015 and February 6, 2015, providing notice to future property owners regarding geotechnical requirements.

CARRIED

2015 Sewer and Water
User Rate Bylaws
Report No. 15-060
File No. Bylaws 2089 &
2090

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

That Council consider giving first, second and third readings to Water User Fee Amendment Bylaw No. 2089, 2015; and further,

That Council consider giving first, second and third readings to Sewer User Fee Amendment Bylaw No. 2090, 2015.

CARRIED

Write Off of Property
Taxes
Report No. 15-068
File No. 4560

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

That Council direct RMOW staff to apply to the Ministry of Community Sport and Cultural Development to issue an order pursuant to Section 315.3 of the Local Government Act for authorization to write off uncollectible property taxes in the amount of \$3,181.43 from folio 005146.233.

CARRIED

Whistler Village Land
Co. Ltd. – 2015 Annual
Report
Report No. 15-068
File No. Vault

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

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of the Whistler Village Land Co. Ltd. pass the 2015 consent resolutions of the shareholder of the Whistler Village Land Co. Ltd., a copy of which is attached to Administrative Report No 15-068 as Appendix “A”, and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Coat of Arms Committee

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

That minutes of the Coat of Arms Committee meeting of June 23, 2014 and August 21, 2014 be received.

CARRIED

Audit and Finance
Standing Committee

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

That minutes of the Audit and Finance Standing Committee meeting of March 10, 2015 be received.

CARRIED

May Long Weekend
Committee

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

That minutes of the May Long Weekend Committee meeting of March 27, 2015 and April 9, 2015 be received.

CARRIED

BYLAWS FOR FIRST AND SECOND READINGS

Land Use Contract
Amendment Authorization
Bylaw (Blueberry Hill) No.
2088, 2015

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

That Land Use Contract Amendment Authorization Bylaw (Blueberry Hill) No. 2088, 2015 receive first and second readings.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Water User Fee
Amendment Bylaw No.
2089, 2015

Moved by Councillor J. Crompton
Seconded by Councillor J. Grills

That Water User Fee Amendment Bylaw No. 2089, 2015 receive first, second and third readings.

CARRIED

Sewer User Fee
Amendment Bylaw No.
2090, 2015

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

That Sewer User Fee Amendment Bylaw No. 2090, 2015 receive first, second and third readings.

CARRIED

BYLAWS FOR THIRD READING

Zoning Amendment
Bylaw (Heidi Haus
Pension) No. 2073,
2015

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

That Zoning Amendment Bylaw (Heidi Haus Pension) No. 2073, 2015 receive third reading, subject to:

- Registration of a covenant requiring on-site owner or building manager occupancy; and,
- Registration of a no-build covenant on the portion of the parcel proposed for rezoning from LCB1 to TP4.

CARRIED

BYLAWS FOR ADOPTION

Solid Waste/Recycling
Rates Amendment Bylaw
No. 2084, 2015

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

That Solid Waste/Recycling Rates Amendment Bylaw No. 2084, 2015 be adopted.

CARRIED

Municipal Ticket
Information System
Amendment Bylaw No.
2086, 2015

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

That Municipal Ticket Information System Amendment Bylaw No. 2086, 2015 be adopted.

CARRIED

OTHER BUSINESS

There were no items of Other Business.

CORRESPONDENCE

Alpine Meadows
Water Project
File No. 271.4

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

That correspondence from Jim Horner, dated April 27, 2015, regarding opportunities for buried electrical lines, plastic conduit, and widening high pedestrian roads during the planned Alpine Meadows water project be received and referred to staff.

CARRIED

Trail Usage
File No. 3009

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

That correspondence from Sean Gilbert, dated April 22, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Trail Usage
File No. 3009

That correspondence from Gavin Phillipson, dated April 22, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Trail Usage
File No. 3009

That correspondence from Robert Airey, dated April 23, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Trail Usage
File No. 3009

That correspondence from Chris Kaipio, dated April 27, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Trail Usage
File No. 3009

That correspondence from Wally Raepple & Michelle James, dated May 2, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Trail Usage
File No. 3009

That correspondence from Emily Mann, Whistler Off Road Cycling Association (WORCA) Planning Director, dated April 24, 2015, regarding multi-use trails be received and referred to staff and the Recreation and Leisure Advisory Committee.

Consolidated Hiking
Trails Brief Resolutions
File No. 8221.03

That correspondence from Emily Mann, Whistler Off Road Cycling Association (WORCA) Planning Director, dated April 24, 2015, regarding opposition to one of the seven recommendations made to Council as part of the *Consolidated Hiking Trails Brief Resolutions* passed at the Forest & Wildland Advisory Committee meeting in April 2015 be received and referred to staff and the Recreation and Leisure Advisory Committee.

CARRIED

Sign Bylaw
File No. 3009

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

That correspondence from Paul Fournier, dated April 27, 2015, regarding sign bylaw enforcement be received and referred to staff.

CARRIED

Standing Water and
Public Health
File No. 820

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

That correspondence from Kurt Samer, dated April 20, 2015, regarding standing water, mosquitoes, and West Nile Virus Disease in Whistler be received and referred to staff.

CARRIED

Woodfibre LNG
File No. 3009

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

That correspondence from Eoin Finn, dated May 5, 2015, regarding a request to the federal environment minister for environmental assessments of the proposed Woodfibre LNG project in Howe Sound be received.

CARRIED

Proposed
Environmental Bill of
Rights Resolution
File No. 8377, 2083

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

That correspondence from Alaya Boisvert, Blue Dot Project Lead, dated April 27, 2015, regarding a proposed resolution for the Lower Mainland Local Government Association convention calling on the provincial government to enact an Environmental Bill of Rights be received.

CARRIED

ADJOURNMENT

Moved by Councillor J. Ford

That Council adjourn the May 12, 2015 Council meeting at 8:10 p.m.

CARRIED

Mayor N. Wilhelm-Morden

Corporate Officer: S. Story



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: May 12, 2015

REPORT: 15-066

FROM: Resort Experience

FILE: RZ1107

SUBJECT: ZONING REGULATIONS FOR SHIPPING CONTAINERS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council direct staff to prepare a zoning amendment bylaw to prohibit the use of shipping containers in residential zones and regulate the use of shipping containers in other zones for conventional shipping and storage uses; and further

That Council direct staff to report to Council with respect to any applications to install shipping containers in residential zones while the bylaw is under preparation in accordance with section 929 of the *Local Government Act*.

REFERENCES

Appendix A – University of Fraser Valley Report: Intermodal Shipping Container Fire Safety

PURPOSE OF REPORT

The main purpose of this report is to obtain authorization from Council to prepare an amendment to Zoning Bylaw 303. The amendment would prohibit shipping containers in residential areas while allowing conventional shipping, industrial and commercial uses of shipping containers to continue where appropriate. The report also recommends that powers for withholding approvals for shipping containers in residential areas be exercised under section 929 of the *Local Government Act*.

DISCUSSION

Background

Shipping containers were developed in the 1950's as a standardized, multi-modal method of transporting goods. The containers are theft resistant, weather resistant, stackable and can easily be loaded onto ships, trucks or trains. However the containers are suitable for their intended use for only a relatively short period; often measured in months. When a shipping container reaches the end of its intended life, it is typically sold for other uses at a reduced cost. The rise in offshore manufacturing has resulted in a dramatic increase in inbound shipping; as a result, North America has an abundance of used shipping containers available to the consumer.

The features that make shipping containers ideal for shipping make them an appealing alternative to outbuildings for commercial, residential and industrial property owners. Containers range in size from 6'x6' to 8'x40'. Shipping containers are also commonly used for temporary storage for construction sites, disaster areas and special events.

Some moving companies also use shipping containers to provide a low cost alternative to traditional moving companies. A container is dropped off at a residence and filled by the residents over a period of time. Once the container is filled, the moving company moves the container to the new residence, the residents remove their possessions and the container is removed by the company once empty.

Many designers, do-it-yourselfers, and entrepreneurs have also seen opportunity in recycling shipping containers into other forms, such as buildings, public art, underground storage, emergency response facilities, affordable housing, swimming pools and fallout shelters.

Issues with shipping containers

The widespread use of shipping containers has raised many concerns for municipalities. Generally these concerns fall into two broad categories: aesthetics and safety.

Aesthetics

Shipping containers have a distinct and purely utilitarian design. Because they are stackable, they can be arranged into large, rectilinear assemblies. In residential areas, the look and scale of metal shipping containers can easily overwhelm and stand out from surrounding residential buildings. This is particularly true in Whistler, where an “alpine” style, utilizing natural looking materials, landscaping, colours and forms, is the prevailing vernacular in most neighbourhoods. Shipping containers will generally appear out of place and inconsistent with the desired character of Whistler’s residential neighbourhoods.

Health and safety

Modifying/altering a container to become a building requires compliance with the BC Building Code and other health and safety regulations. When health and safety codes are disregarded, containers are easily and cheaply reconfigured into workshops or other buildings. Because safety codes don’t specifically speak to shipping container conversions, specialized expertise, design and construction techniques are often required. The cost and difficulty of these techniques may discourage owners from obtaining proper approvals to build compliant structures. A broad range of serious health and safety risks arise when containers are altered for other uses without proper approvals. Examples of these of unpermitted conversions have been discovered in Whistler and are under active enforcement.

When used strictly for storing goods, shipping containers are generally safe. However, recent studies have shown that the storage of flammable gas or liquids in storage containers, even in quantities of less than 1 litre, can create an explosion hazard if the container is exposed to fire. In these cases, the tight seals of the container trap a buildup of vapours released from the heated flammables. Once the vapours ignite, the output of energy is contained by the container, then released explosively once the walls and doors of the container fail. In 2011 a firefighter in Enderby was killed by a flying door when a shipping container exploded under these conditions. Other, non-fatal explosions under similar circumstances have also been documented (Appendix A). These explosions may be prevented by avoiding storage of flammable liquids and gases in containers or installing vents on the containers.

Existing regulations applying to shipping containers

Currently the Zoning Bylaw does not explicitly address where shipping containers used for storage are and are not allowed. Industrial and commercial zones allow a varying mix of shipping and storage uses that may, depending on the zone, allow shipping containers to be used for their intended use (shipping) or storage uses. Examples include, warehousing, shipping and trucking facilities. In residential zones, storage incidental to a residence (e.g. storing household tools and gardening equipment) is permitted broadly as an “auxiliary use”. Lot coverage, density and setback regulations apply to structures used for these purposes. Zoning regulations can be enacted that prohibit the use of shipping containers as residential storage structures.

It is important to recognize that all properties in the municipality are permitted some degree of “shipping” use regardless of zoning (e.g. getting furniture delivered from a container on a truck or a dropping off construction materials in a container on a construction site). This creates some ambiguity between using a container for “shipping” versus “storage”. The moving companies described in this report are an example of this. There are opportunities to bring reasonable flexibility and clarity to the different uses of containers with new zoning definitions and exemptions.

Initial research suggests that no provincial or federal regulations have been enacted to address the explosion hazard created from the storage of flammable liquids and gases in shipping containers. Municipal bylaws can be enacted to prohibit fuel storage or allow fuel storage only if vents are properly installed and inspected.

Proposed bylaw

Staff are requesting authorization from Council to bring forward a zoning amendment generally prohibiting shipping containers in residential areas. It is expected that the proposed amendments will account for temporary uses of shipping containers under reasonable circumstances, such as storage on active construction sites, moving, and special events. The bylaw is not expected to prohibit the conventional use of shipping containers in industrial and commercial zones but is expected to contain regulations intended to address certain hazards such as the explosion hazard noted above.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscapes and evoking a dynamic sense of place.	New regulations for shipping containers will protect the visual aesthetic of the community.
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses	Discouraging unpermitted conversions of shipping containers will contribute to properly constructed and durable building stock.
Health and Social	The resort community is safe for both visitors and residents, and is prepared for potentially unavoidable emergency events.	Increased enforcement and new rules will reduce hazards associated with shipping containers

BUDGET CONSIDERATIONS

All costs of preparing the bylaw, notifying property owners and enforcement can be covered under the existing Planning, Fire, Bylaw and Building department budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

A public hearing will be required prior to adoption of the bylaw. Staff are currently compiling an inventory of residential properties where shipping containers are located and will notify the property owners of the proposed bylaw changes.

SUMMARY

Bringing forward a zoning amendment bylaw for Council consideration will bring clarity to regulations surrounding shipping containers and uphold built form and health and social objectives of Whistler 2020. Staff recommend endorsing the recommendations in this report as proposed.

Respectfully submitted,

Jake Belobaba
SENIOR PLANNER
for
John Rae
ACTING GENERAL MANAGER OF RESORT EXPERIENCE

Intermodal Shipping Container Fire Safety

A Way Towards Better Practices



Don Delcourt and Len Garis

July 2014

Dedication

This study is dedicated to Captain Daniel Botkin, who died in the line of duty in Enderby, British Columbia on December 29, 2011. Captain Botkin was killed when a shipping container adjacent to a burning structure exploded unexpectedly. Captain Botkin, members of the fire service, and the owner of the shipping container were unaware of the potential for catastrophic failure of shipping containers when they are exposed to high temperatures.

Captain Botkin was the fire department's training officer. He had dedicated his fire service career to the safety of others, especially firefighters. He died heroically serving his community and watching over his fellow firefighters.

In dedicating this document to Captain Daniel Botkin, the authors acknowledge the loss of Captain Botkin, and the loss to his family, friends and community. This document is published with the hope that in learning from the tragic circumstances that led to the death of Daniel Botkin, others may live.

Executive Summary

1. More than 16 million shipping containers are being used to transport goods around the world, and millions of these containers become surplus every year and are repurposed as buildings or structures.
2. The surplus containers are popular for use as temporary or permanent structures because they do not need assembly and are inexpensive, weather resistant, structurally strong, sealed and theft-resistant. They are used for a wide range of purposes, including construction offices, electrical rooms, and storage of various items, including flammable gases and liquids.
3. Fire and explosion incidents, such as the line-of-duty death of a Fire Captain in Enderby, British Columbia in 2011, have drawn attention to the need to recognize and mitigate the fire hazards related to shipping containers. In that incident, a fire in an adjacent building caused a low-speed explosion in a shipping container in which small volumes of flammable liquids were stored. The explosion blew out the container doors, one of which struck and killed the Fire Captain. In a 2013 incident in Saanich B.C., a leaking barbecue propane tank stored in a shipping container caused an explosion that destroyed the container, but luckily did not cause any serious injuries.
4. The steel shipping containers are constructed to withstand being loaded, stacked, twisted and dropped, and their walls are built to handle shifting loads. As a result, they can withstand a considerable build-up of internal pressure before they fail catastrophically.
5. A number of jurisdictions around the world have developed regulations to address the increased use of shipping containers as structures and their unique safety hazards.
6. Best practices suggest that key mitigation strategies include:
 - Regulating the use, allowed contents and any potential fire risks,
 - Weakening the structure to prevent high pressures from building up inside (e.g. by installing explosion-relief panels, replacing doors with lightweight walls or installing conventional doors and windows),
 - Providing openings to vent smoke that will help those outside the container identify potential issues inside the container, and
 - Developing of standard operating procedures for shipping container fires that address incident size-up, hot and exclusion zones, and fire attack planning.
7. To ensure the safety of the public and firefighters, the following actions are recommended:
 - Communicate the fire safety hazards of shipping containers,
 - Put in place national, provincial and local government regulations of the use of shipping containers as temporary buildings and structures,
 - Regulate the materials stored in shipping containers,
 - Provide information on how shipping containers can be modified to be safer, and
 - Introduce operating procedures that can be used by the fire service to safely deal with shipping container fires.

Purpose of the Study

The purpose of this Study is to help to understand the fire hazards related to using shipping containers as temporary or permanent buildings and help prevent injuries to the public and the fire service. The study intends to raise awareness of the hazards and describes recommended practices and actions, including increased regulation of the use of shipping containers as buildings and the materials stored in them, modifications to make shipping containers safer, and procedures for the fire service in managing shipping container building fires. To prepare this study, research was conducted into shipping container fires and regulations governing the use of shipping containers in Canada and abroad.

Background

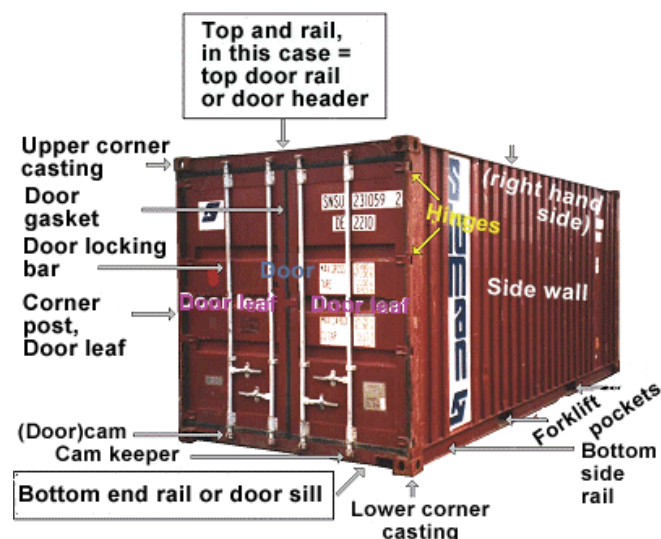
More than 16 million shipping containers are being used around the world to transport goods and materials on ships, trains and trucks. Millions of these containers become surplus every year and are repurposed as buildings or structures.

The 2011 line-of-duty death of volunteer Fire Captain Daniel Botkin in Enderby, British Columbia was a wake-up call for the fire service about the fire hazards of using shipping containers as temporary or permanent buildings. In this incident, it was determined that a fire in a building adjacent to a container that was storing small volumes of flammable liquids caused an internal low-speed explosion that blew out the container doors. One of these doors struck and killed Fire Captain Botkin.

In a more recent incident, a leaking barbecue propane tank stored in a shipping container in Saanich, B.C. exploded in April 2013 and destroyed the container. Parts of the container landed 274 metres [300 yards] away and the walls were flattened. Luckily, no one was seriously injured in this incident.



2013 shipping container explosion in Saanich B.C.



Container features

Shipping containers are made of steel and range in size from 1.5 to 16 metres [five to 53 feet] long. The containers are 2.4 metres [eight feet] wide and 2.6 metres [8.5 feet] high, with steel doors at one end. Some containers have small vents on the ends at the top for air pressure equalization, due to changes in the ambient air temperature. These vents are a series of three rows of three 3.2 to 6.4 millimetre [1/8 to 1/4 inch] holes cut through the steel wall and covered by a metal or plastic outer cover. Depending on their size, containers have two, four or six of these vents.

Typical containers are designed to be stacked six to nine high and to hold weights of 32,205 kilograms [71,000 pounds]. The side walls are designed to withstand shifting loads of up to 60% of the permitted load, and the end wall and doors are designed to withstand 40% of the permitted load. As a result, internal pressures can build to the point that the containers fail catastrophically.

Ultimately, the features that make shipping containers secure from theft and structurally sound also make them a fire safety hazard.

Enderby Line-of-duty Death Incident – Summary

At 3:51 a.m. on December 29, 2011, a fire at a log construction facility in Enderby, B.C. was reported to 911. At 4:01 a.m., the first fire truck arrived on site with 15 firefighters (including the Deputy Fire Chief and four Fire Captains), along with two pumpers and a rescue truck. The fire had apparently started in a modular trailer and spread to the large production building where log structures were assembled.

A shipping container was being stored under a roofed addition to the production building and sat about two metres (6.6 feet) from the burning building. The container was 2.4 metres (eight feet) wide, 2.6 metres (8.5 feet) high and 12 metres [40 feet] long. At several times during the fire, smoke was seen coming from the equalization vents and overheating door gaskets, and water was directed onto the container or its area.



A shipping container that held gas-powered tools and about a litre of flammable liquids was exposed to extreme heat when the building next to it caught fire. The evidence indicates that the flammable liquids vaporized and exploded, blowing off the container doors.

At about 5:05 a.m., a Fire Captain climbed on top of the container to attack the fire in the production building. At the time, he did not find the roof to be hot. The Incident Commander grew concerned about the possible failure of the production building structure and pulled the firefighters away from the building and shipping container. The operation went into the mop-up stage.

At 5:15 a.m. the shipping container ruptured and:

- One side of the shipping container along the roof line tore along the length,
- The container roof along the production building was torn and bent upward,
- The sides and end of the container were bent outward, and
- Both of the 113 kilograms [250 pound] metal doors were blown off.



The photo above shows the bending of one of the container doors that was blown off in the explosion.

One of the doors struck Fire Captain Botkin and landed 41 metres (135 feet) southwest of the container and the second door was found 54 metres (177 feet) northwest of the container. Fire Captain Botkin died at the site.

Analysis

The various investigation reports indicate the explosion was caused by 0.5 to 1.5 litres (0.13 to 0.4 gallons) of gasoline/oil from two chainsaws and 0.5 litres (0.13 gallons) of methyl hydrate. Witnesses advised that the fire impinged on the shipping container for 45 to 55 minutes before the explosion. As noted above, 10 minutes before the explosions a Fire Captains was on top of the shipping container directing a hose line at the production building fire, but did not find the top of the container steel to be warm.

The WorksafeBC and the Office of the Fire Commissioner reports identified the specific fuels that could have been involved in the Enderby incident, but they had difficulty identifying the ignition scenario. An NFPA advisor helped form the conclusion that a "low volume detonation" occurred.

Enderby Line-of-duty Death Incident – Analysis

Some information is available on the ISO construction standards for shipping containers when used for their original purpose of transporting goods and materials. These standards have been changing to consider the containers' operating conditions. The older container had fewer air compensating vents compared to the newer containers, and the range of sizes of shipping containers has also increased.

The only document that could be found on the fire testing of shipping containers is the 1977 US Coast Guard report "Fire Performance of Intermodal Shipping Containers." The report looked at both fires in the containers and exposure fires impacting the containers. The internal testing involved a wood crib fire inside the container that vitrified or consumed the internal oxygen before all the wood was consumed. The air compensating vents did not affect the test results. The second exposure tests involved 65m² JP5 spill fires exposing single and stacked containers. These tests indicated that the internal temperatures reached 230°C in four to nine minutes. The conclusion was there was a potential for "ignition or charring" of Class A materials within five minutes.

Fuels

The general conclusion is that the fuels involved in the Enderby incident were 500 millilitres (0.13 gallons) of methyl hydrate (methanol), or approximately one litre of gasoline and oil mix (0.4 gallons), or the combination of the two. The following tables provide information on the characteristics of the methanol and gasoline, and propane and hydrogen for comparison.

Characteristics of Common Fuels

Properties	Hydrogen	Propane	Methanol	Gasoline
Flammability limits				
LEL (%)	4.1	2.2	6	1.4
UEL (%)	74	9.5	36.5	7.6
Stoichiometric air/fuel ratio (weight)	34.3	15.7	6.45	14.7
Min. ignition energy	0.017	0.03	0.14	0.2
Auto-ignition Temperature (°C)	400	450	385 to 464	232 to 280
Vapour density	0.067	1.5	1.1	3 to 4
Burning velocity (cm/s)	312		56	40
Gross combustion energy			17.9 MJ/litre	34.8 MJ/litre

Key information from this table:

- When heated, the methanol vapours could rise and the gasoline vapours will still stay low,
- Methanol's auto-ignition temperature (AIT) is significantly higher than that of gasoline,
- The flammability ranges of methanol and gasoline are close, and
- Gasoline's combustion energy is significantly greater than that of methanol.

The temperature at the ceiling of the shipping container will also be higher than at the floor, which will result in lower minimum ignition energy. For example, the minimum ignition energy (MIE) for ethanol at 25 C is 0.40 mJ, but at 100 C the MIE is 0.21mJ. Also, the AIT will rise if there is an increase in pressure within the container.

Ignition Sources

The most difficult element to determine in the Enderby incident is the ignition source. Although the side of the shipping container facing the production building was exposed to direct flame that could have heated the steel to above the ignition temperature of the fuels, the fire captain who was on top of the container 10 minutes before the rupture indicated the roof was not hot. The report's key temperature indicator is that the plastic gas tanks had melted on two chainsaws hanging on the inside wall of the shipping container closest to the burning building. The chainsaw manufacturer advised WorkSafeBC that the melting temperature of the chainsaw plastic is approximately 200°C. This would indicate the spilling or boiling off gasoline was exposed to at least 200°C, and the AIT of gasoline is 232°C.

The US Coast Guard exposure tests had indicated that the container ceiling and at the two metre level temperatures were approximately 360°C within six minutes of the start of the test fire. Witnesses in the Enderby incident indicated there was flame impingement on the side of the container for 45 to 55 minutes.

Using the fire testing as a baseline, it could be concluded that the temperature near where the chainsaws were located (and losing gasoline and oil mix) could have been at least 200°C or considerably higher. It could then be theorized that this area of the interior of the container was heated by radiation, conduction and convection to above the auto-ignition temperature of the gasoline and possibly the methanol.

Container Characteristics

The US Coast Guard fire tests provide some background on the characteristics of shipping container fires, but do not give any critical information on the strength and venting of the performance. Based on published wall-loading information, a calculation of a conservative low estimate of the wall strength determined that the yield strength of the walls could be 7.0 kPa (1.0 psi) and the bursting strength of 8.4 kPa (1.22 psi). This is lower than the rough estimate of the container strength, but it is useful to determine the relative area of typical explosion relief panels.

The air compensating vents are designed to deal with climatic temperature changes without causing damage to the container. If the vents were not installed then small changes in temperature could dramatically increase the internal container pressure.

Using the Ideal Gas law and assuming that the container was not vented, the following table shows increases in pressures that could occur.

Pressure Increases Based on Temperature

Temperature above ambient	Resulting pressure increase
20°C	7.1 kPa (1.03 psi)
40°C	15.2 kPa (2.2 psi)
60°C	22.3 kPa (3.2 psi)
100°C	37.5 kPa (5.4 psi)

These vents will not bleed off sufficient pressure fast enough during a fire because the vents only amount to 0.0079% of the wall and roof area of a typical shipping container.

Venting Scenarios

In order to prevent a shipping container rupture similar to the Enderby incident, with similar fuels, calculations were made in accordance with NFPA 68-2012.

The following table indicates the required area of the explosion venting for the various fuels for standard 12-metre long containers that can withstand 7.0 kPa (1 psi) of internal pressure.

Required Area of Explosion Venting Based on Fuel

Fuel	Fuel volume causing the explosion	Maximum unvented pressure (Pmax)	Area of explosion vent	Percentage of the explosion vent area versus the area of the walls, doors and the roof
Methanol	0.5 litre (0.4 kg)	750 kPa (109 psi)	26 m ²	36.4 %
Gasoline	1.0 litre (0.72 kg)	780 kPa (113 psi)	25.9 m ²	36.3 %
Propane (for comparison)	1.0 kg	790 kPa (115 psi)	32.5 m ²	46 %

These vent areas are only for comparison because the key calculation factor of container strength is only a rough calculation.

The key conclusion is that even very small unregulated volumes of flammable liquids or combustible gases in shipping containers can possibly create a low energy explosion and the rupture of a shipping container.

Hazard Awareness and Regulation

Shipping containers are recognized as a safety concern when they are used to ship various goods and materials, including dangerous goods, on the roads, rail and ships. However, when they are used as buildings or structures, we do not recognize them as being a fire safety hazard. The Enderby and Saanich incidents are two examples of the fire safety hazard they can create.

Examples can be found of shipping containers being used for a variety of applications, including:

- Storage of fireworks,
- Storage of flammable gases and liquids at construction sites,
- First aid buildings at construction sites (with supplies of antiseptic alcohol or oxygen bottles),
- Construction offices,
- Recharge of hunting ammunition by hobbyists, and
- Electrical rooms or electrical vaults at construction sites (with the accompanying arc blast risk).

The key reasons shipping containers are used as temporary or permanent structures is that they are cheap to purchase, do not need assembly, are weather resistant, are structurally strong, are a sealed container, and are secure from theft. Also, these containers are not looked upon as buildings or structures, therefore skirt the building and fire approval requirements.

Shipping Container Regulation

A number of jurisdictions around the world have adopted planning or building bylaws and provincial bulletins to regulate the use of shipping containers. The following are some examples.

Canada

Vermillion, Alberta

- Containers are addressed in Bylaw #6-2010 Land Use Bylaw.
- Based on other Alberta land use bylaws.
- Defined as a structure (accessory building).
- No dangerous or hazardous materials or containers are permitted.
- No connected services are permitted.
- Permit requires compliance with the Alberta Building and Fire Codes.
- Containers are restricted to specific zoning.

City of Burnaby, British Columbia

- Shipping containers are defined as permanent buildings.
- Containers must comply with the British Columbia Building Code, and the design and field review must be performed by an architect or professional engineer.

Township of Laurentian Valley, Ontario

- Shipping containers used to store flammable and/or hazardous materials must be properly ventilated and placarded to identify the stored materials.
- Fire extinguishers must be installed in accordance with the Ontario Fire Code.
- A maintained road capable of withstanding the weight of firefighting equipment to within 45m of the container must be provided.

United States

Riverside, California

- Containers are defined as an accessory building.
- Building permit is required.
- One container is permitted per acre, to a maximum of two.
- No windows, plumbing, electrical and mechanical improvements are allowed.

Bellflower, California

Planning Department requires:

- Storage of materials must be approved by the Los Angeles Building Department and Los Angeles County Fire Department.
- Only one container is permitted for each 15,000 square feet of lot area.
- Compliance with Ordinance No. 853 is required.

County of Los Angeles, California

- A miscellaneous permit must be obtained with approvals from the fire department, etc.
- No flammable or combustible liquids or hazardous materials may be stored.

Sonoma County, California

- Different requirements are in place for temporary and permanent use for storage.
- Permit is required.
- For permanent non-storage use, sprinkler protection is required.

City of Santa Rosa, California

- Temporary storage use requires a temporary use permit.
- Permanent storage use requires a building permit, fire sprinklers and a hazardous materials management plan for HAZMAT use.

New York State

- Containers are defined as storage buildings and must meet the New York State Uniform Fire Prevention and Building Code
- Building permit is not required, but a fire safety inspection and a certificate of occupancy are required.
- Exit doors and a ventilation louver on one side must be installed.

Airway Heights, Washington

- Shipping containers are prohibited as accessory buildings or storage buildings except under permit.

International

Te Tari Kaupapa Whare, New Zealand

- Analysis has determined that shipping containers are buildings.

Department of Building and Housing, New Zealand

- Shipping containers are defined as buildings.

Cooma-Monaro Shire, New South Wales, Australia

- Shipping containers are considered as buildings.
- Exemptions exist for construction sites and farms.

Recommendations

Required Regulation

In order to regulate the fire safety of shipping containers, the following steps should be put into place:

1. Recognition in the National Building Code that shipping containers are regulated buildings or structures when they not used for the transport of goods and materials.
2. Recognition in the National Fire Code of the fire safety hazards of storing small volumes of dangerous goods in shipping containers. This can be accomplished by modifying Section 3.3 Outdoor Storage 3.3.1.1. Application 3.3.1.1. 2) c) “Intermodal shipping containers, except when containing dangerous goods” to clarify the shipping container fire and explosion hazards.
3. BC Building and Safety Standards Branch should issue a bulletin or advisory to:
 - a. Define shipping containers as buildings under the BC Building Code (similar to the March 2010 Shipping Container Advisory from the Government of Saskatchewan) and,
 - b. Change the BC Fire Code to recognize and attempt to mitigate the fire and explosion hazards caused by the storage of very small volumes of dangerous goods in shipping containers.
4. Local governments need to adopt bylaws to regulate the use of shipping containers as buildings within their jurisdiction. See Appendix A for a sample shipping container fire safety bylaw.

Mitigation and Prevention

Key mitigation strategies for shipping container fire safety are as follows.

1. Regulate

As noted above, it is key to regulate:

- What shipping containers are used for,
- What contents can be safely stored in them, and
- Potential fire risks the container may either be exposed to or may create for other critical structures or access points on the site.



Suggested solutions include a lower ventilation opening in the lower door (above) and an upper ventilation opening and wind vent (below).

Photos courtesy of BC Hydro Fire Marshal's office.

2. Weaken

Shipping containers should be weakened to prevent high pressures from building up that exceed their rupture strength. Currently, standard shipping containers are very strongly constructed in order to prevent theft and to withstand cargo loading and being stacked, twisted and dropped on ships, trucks and trains.



The containers can be weakened by:

- Installing explosion-relief panels that may have to exceed 25% of the wall surface,
- Replacing the end doors with lightweight walls, and
- Installing conventional doors and windows in the sides.

The degree to which the container has to be weakened depends on its use. If dangerous goods are to be stored, specially designed relief panels will have to be determined by a professional engineer. Small top and bottom vents can also create some low-level weakening and provide ventilation.

3. Venting

The lack of indication of what is happening inside the shipping container was one of the key issues with the Enderby incident. The firefighters were not fully aware of the hazardous conditions building inside the shipping container. The provision of the top and bottom-level openings at opposite ends of the container may have revealed the hazardous conditions by emitting smoke from the container. This may have allowed them to change their tactics.

4. Incident safety

Fire departments should consider having standard operating procedures in place that cover the incident size-up, hot and exclusion zones, and fire attack planning. Appendix B provides the framework for a typical Shipping Container Standard Operating Procedure.

Required Actions to Prevent Injuries from Shipping Containers

In order to prevent injuries to the public and the fire service, we must:

- Communicate the fire safety hazards of shipping containers,
- Put in place national, provincial and local government regulations of the use of shipping containers as temporary buildings and structures,
- Regulate the materials stored in shipping containers,
- Provide information on how shipping containers can be modified to be safer, and
- Introduce operating procedures that can be used by the fire service to safely deal with shipping container fires.

References

- BC Office of the Fire Commissioner (December 2011). Fire Investigation Report 2011-12-29-01.
- WorkSafeBC. Incident Investigation Report NI 2011116120216
- WorkSafeBC (April 2012). "Firefighter killed in explosion involving flammable liquids." Hazard Alert.
- US Coast Guard (1977). "Fire Performance of Intermodal Shipping Containers." Report CG-D-62-77
- R. Roberts, Roberts & Roberts (February 5, 2011). "Using Physical and Chemical Properties to Manage Flammable Liquid Hazards." Roberts & Roberts – Risk & Reliability Engineering (www.roberts-roberts.com).
- Emergency ManagementBC (July 2012). "Shipping container safety for fire personnel." Information Bulletin.
- John Bond. "Sources of Ignition - Flammability Characteristics of Chemicals and Products." Butterworth-Heinemann Ltd., 1991. Print
- NFPA 68. "Standard on Explosion Protection by Deflagration Venting."
- BC Hydro. "Shipping Container Explosion Venting Calculations" by J. McBryde P.Eng.

Authors' Biographical Information

Don Delcourt is the BC Hydro & Power Authority Fire Marshal, the Industrial Director for the Fire Chiefs Association of BC, and an Engineering Licensee with the Association of Professional Engineers and Geoscientists of BC. Contact him at don@enfireintel.com.

Len Garis is the Fire Chief for the City of Surrey, B.C. and is an Adjunct Professor in the School of Criminology and Criminal Justice at the University of the Fraser Valley, Affiliated Research Facility at the John Jay College of Criminal Justice, New York, and a member of the Institute of Canadian Urban Research Studies, Simon Fraser University. Contact him at LWGaris@surrey.ca.

Acknowledgement

The authors would like to thank the Fire Chiefs' Association of British Columbia, past and present executive, for their support in producing this study.

Appendix A – Sample Bylaw

Shipping Containers – Minimum Standards for the Use of Shipping Containers as Storage Buildings

Issue

Shipping containers are designed for overseas storage and shipping of material, equipment and hazardous material. These containers are normally poorly vented and are therefore able to build internal pressure. The containers easily behave like a closed vessel.

In December 2011, a B.C. firefighter was killed as a result of the catastrophic failure of shipping container exposed to an external fire. This container contained some minor amounts of flammable liquids (less than two litres was involved) and, as designed, had very little venting since the doors were closed and latched. The adjacent fire heated the container and contents, which resulted in a build-up of flammable vapours and pressure inside the container. Ultimately, the shipping container ruptured, tearing one of the top seams of the container and blowing out the latched and locked doors. One of the doors struck a firefighter standing about 10 metres away and the firefighter sustained fatal injuries.

In *<input name of local government>* shipping containers located within/on properties subject to fire inspections will be inspected for compliance. Shipping Containers used for storage of any flammable or combustible liquids, or combustible materials and other long term uses, will be considered as permanent buildings and therefore must meet the requirements of the BC Building and Fire Codes as well as *<input name of local government>* Bylaws.

Code Compliance

The container must meet, or exceed as indicated, all relevant requirements of BC Safety Codes such as, but not limited to:

- Division B – Part 3 & Division B – Part 4 of the BC Fire Code will apply in all cases
- There will be no electrical service to the container unless it exceeds all requirements of the BC Building, Fire and Electrical Codes for explosive/moist/wet environments. It must be fully explosion-proof and tested regularly to ensure compliance.
- The Dangerous Goods storage shall be restricted to materials that are declared at the permit stages. Any changes to the types of dangerous goods must be approved by the *<input local fire services name>*.
- No smoking shall be allowed in shipping containers.
- Where flammable liquids and combustible liquids are stored in the container, combustible construction shall be removed, provisions for spill containment installed, and the container shall be grounded. The dispensing of flammable liquids and the storage of open containers shall be prohibited in the shipping container.
- Compressed gases shall not be stored in the shipping containers. Limited amounts of aerosols shall be stored in the shipping containers and only when stored in metal cabinets.
- Shipping containers shall not be installed under power lines.

Location

The container must be positioned such that:

- There is a minimum separation of 1.5-3 metres between any non-combustible structure and the container to allow for firefighting access to the exposed structures.
- The shipping container must be located at least 6 metres from exits, windows or unprotected openings in the exposed building.
- Greater separation distances will be required based upon exposure to any combustible materials or structure.
- The container doors are positioned such that they face away from any other structure.
- The container doors must be positioned such that they face away from any means of road access to the container for fire personnel.
- No combustible materials may be placed near the container.

Identification

The container must be identified such that:

- UN Placards for all stored Dangerous Goods must be visible on the two container sides most visible to emergency responders.

- The name of the company/person responsible for the storage and an emergency telephone contact number must be marked on the container in lettering visible from 10 metres.
- The container and contents must be identified in the Fire Safety Plan.

Safety Features to Be Added

The container must have the following safety features in place prior to any use for storage:

- One ventilation opening must be added within 150 millimetres of the floor in the container door primarily used for opening.
- One ventilation opening must be added within 150 millimetres from the top of the container on the opposite end from the doors for cross ventilation.
- The high ventilation opening cannot be directly venting toward a structure.
- Neither ventilation opening can be obstructed by stored materials at any time and must be kept clean of internal and external debris.
- The additional ventilation openings must be constructed based upon the following minimums:
 - Two – 0.3 x 0.3 metre openings for containers six metres or less.
 - Two – 0.5 x 0.5 metre openings for containers over six metres.
 - Both openings will be covered by open grate wire mesh with greater than 50% free area.
 - Higher opening will also have a wind vent device, designed to generate a venturi effect during low wind speeds.
- Where heavier than air flammable and combustible liquids are stored in the container, a ventilation opening at low level should also be installed at the opposite end from the doors.
- Where 1A flammable liquids in quantities greater than four litres are stored in the shipping container, then provisions shall be made to comply with the requirements for withstanding an internal explosion as per the BC Fire Code, BC Building Code and NFPA 68.
- Alternate engineered solutions for ventilation and explosion protection will be considered.

NOTE: Standard existing environmental vents normally built into shipping containers ARE NOT ACCEPTABLE as ventilation openings for land-based storage applications. These were designed for air movement based upon atmospheric weather changes only and do not provide adequate air flow

Appendix A References

BC Hydro (2013). "Fire Marshall's Fire Safety Bulletin on Shipping Container Fire Safety."

WorksafeBC. Incident Investigation Report #2011 – 1476

Pitt Meadows Fire & Rescue Service. Draft Shipping Container Fire Safety Standard.

Appendix B – Sample Standard Operating Procedures

Shipping Container Fires – Standard Operating Procedures

Purpose: To provide tactical safety procedures for fire department response to a fire involving intermodal shipping containers.

Scope: Fire Department Personnel and Other Emergency Personnel

General Information:

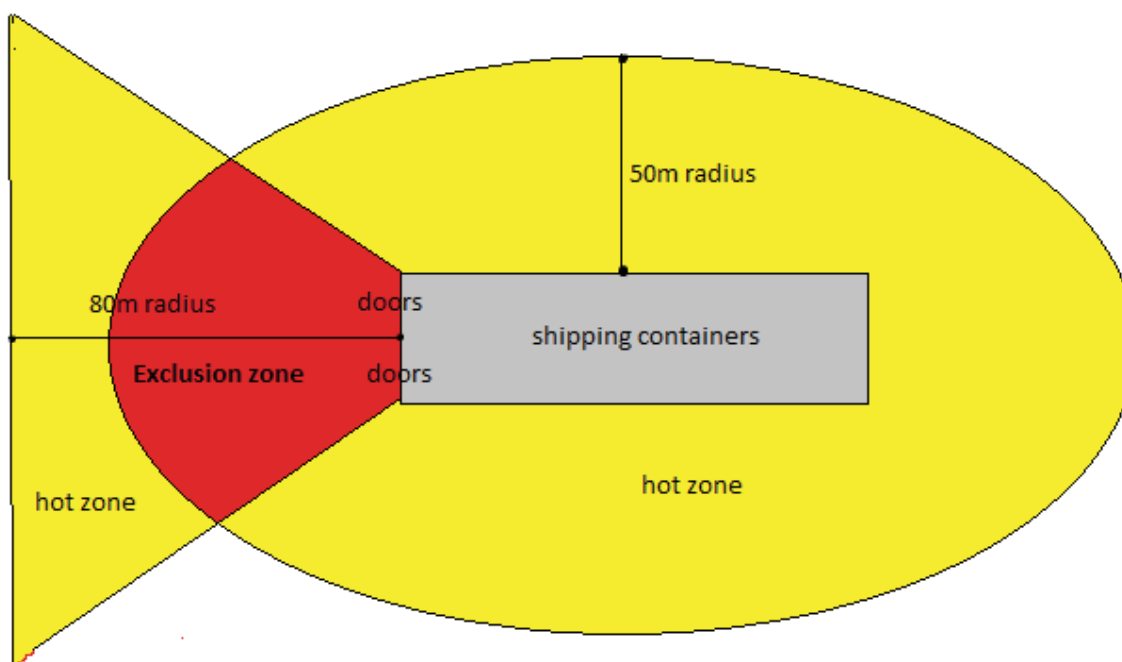
The use of shipping containers as buildings and structures has become widespread, but these uses and applications have not always been regulated from the fire safety perspective. These containers can create significant fire hazards to fire responders when there are fires adjacent to them or inside them. The 2011 Enderby firefighter line-of-duty death is an example of the exposure fire and explosion hazard created by the containers, and the 2013 Saanich explosion related to propane storage is another indication of the pressure build-up explosion that can occur.

These shipping containers are commonly being used as permanent, long term and temporary buildings and structures at farm sites, construction sites, industrial sites, commercial sites and residential sites. Their uses are only limited by the imagination of the end users. Examples of common uses are offices, first aid buildings, electrical rooms, storage buildings for all sorts of hazardous and non-hazardous materials, and shops for various uses, including an example where containers were used to store and reload ammunition. Some local governments have tried to control the use and application of these containers but there is little control over their sales and installation, therefore fire department responders must recognize the possible hazards they can create and take appropriate tactical safety precautions during a response to a location where they are located.

Shipping containers are designed to be very durable and very secure. They are designed to be stacked one on top of each other on container ships or to withstand being dropped, hit or subject to the pitching, rolling or vibration of a ship. One of the major advantages of shipping containers is they are very secure, which also becomes an issue when they are involved in a fire. The structural strength, secure nature of the doors and lack of venting make the containers a quasi-pressure vessel, therefore they can build up high pressure before they explode. As a result, an explosion or rupture can blow out the doors and tear apart the container. The Enderby incident has been theorized to have been caused by as little as 0.5 to 1.5 litres of gasoline and approximately 0.5 litres of methyl hydrate. This small volume of hazardous material caused the container doors to be torn off the hinges and container to be torn along one of the top steel seams. Shipping containers exposed to external fires or internal fires can result in a rupture or explosion caused by non-regulated volume of flammable liquids, and can create safety issues to first responders.

Procedures:

1. Upon arriving at a site with one or more shipping containers, the first incoming company should try to determine whether the incident has been initiated by a fire in the shipping container or whether a fire will expose the shipping container.
2. If the shipping container is exposed or involved in the incident, the company officer should maintain a 50-metre radius hot zone around the container and a 80-metre radius quadrant in front of the doors with limits of 45 degrees from the corners of the containers.
3. If the explosion has blown the roof off or the doors out, or has ruptured the container, then the hot zone can be reduced at the discretion of the senior officer.
4. A priority should be put on suppressing any fires that are adjacent to or against the shipping container while trying to keep out of the hot zone.
5. If the container must be approached in the hot zone, consider approaching the container at 45 degrees to the corners of the end opposite the doors.
6. To lessen the risk, unmanned oscillating ground monitor should be used.



7. Careful observations should be made of the involved container to determine the interior conditions of the container.
8. There may be UN placards or information in the prefire plan.

9. Information on the container contents may be available from the property owner or representative. Binoculars should be used to see if there are any of the following indications of internal heating within the container:

- Smoke from the heating gaskets.
- Smoke from the small atmospheric vents at the corners of the container.
- Smoke from any larger vents that have been added to the container.
- Indications of heat on the top or sides of the container, such as scorching or burn marks in the paint.
- Any warping or bulging of the container.

These observations may indicate there is a build-up of hot gases or flammable vapours that may lead to an explosive rupture.

10. Spray of water can be discharged onto the metal exterior to determine if there are any hot spots and their location.

The senior officer should then determine a fire attack plan based on any exposure fires, heating within the container and the criticality of the container risk within the fire ground. An aggressive attack may involve the insertion of a piercing lance through the container wall or through any large vents that have been added. A less aggressive attack would be to cool the roof and sides of the container down with a manned or unmanned hose line, until the container steel is no longer boiling off the water, and then access to the interior of the container.

Appendix B References

- WorksafeBC (April 2012). "Firefighter killed in explosion involving flammable liquids." *Hazard Alert*.
- Emergency ManagementBC (July 2012). "Shipping container safety for fire personnel." Information Bulletin.
- BC Office of the Fire Commissioner (December 2011). Fire Investigation Report 2011-12-29-01.
- BC Hydro (2013). "Fire Marshal's Fire Safety Bulletin on Shipping Container Fire Safety."
- Federal Emergency Management Agency (December 1999). "Developing Effective Standard Operating Procedures" FEMA FA-197.

RZ 1107

ZONING REGULATIONS FOR

SHIPPING CONTAINERS

Council Presentation

May 12th 2015

RESORT MUNICIPALITY OF WHISTLER

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

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



Background

- Developed in the 1950's as a standardized, multi-modal method of transporting goods.
- Useful only for fixed period of shipping use.
- Range in size from 6'x6' to 8'x40'.
- Often used for construction sites, disaster areas, moving companies and special events.
- Sometimes repurposed into other forms e.g. buildings.
- Proliferation in Whistler's residential neighbourhoods



Issues with Shipping Containers

- Safety
 - Explosion hazards
 - Unpermitted modifications
- Form and Character
 - Scale
 - Materials
 - Not aligned with residential neighbourhood character.



Proposal

- Bring forward a bylaw for Council consideration to:
 - Regulate fuel storage/prevent container explosions
 - Prohibit containers in residential zones
 - Clarify ambiguity between “storage” and “shipping” uses.
- Report to Council any applications to install shipping containers in residential zones

Planning and Policy Review

- Protects form and character of residential areas
- Promotes safe use of shipping containers where permitted
- Improves clarity of the Zoning Bylaw in relation to shipping containers

Recommendation

- **That** Council direct staff to prepare a zoning amendment bylaw to prohibit the use of shipping containers in residential zones and regulate the use of shipping containers in other zones for conventional shipping and storage uses; and further.
- **That** Council direct staff to report to Council with respect to any applications to install shipping containers in residential zones while the bylaw is under preparation in accordance with section 929 of the *Local Government Act*.

From: Crosland Doak [<mailto:crosland@croslanddoakdesign.com>]

Sent: Monday, June 01, 2015 10:37 AM

To: Mayor's Office

Subject: Storage Containers in Residential Zones

Mayor & Council,

I am following the current discussion in regard to banning Shipping/ Storage Containers in residential zones. I agree with banning these large industrial structures in residential zones.

The typical small container is 20'x8' or 160 sf with larger ones up to 240sf. The building code and the RMOW's bylaws allows a storage shed of up to 100 sf without a building permit. Anything larger is considered an Auxiliary Building and must conform to 5.3 of Bylaw 303, including application for a building permit and conformance to setbacks. Current bylaws do not even allow garden structures or overhead trellis without defining them as an Auxiliary Building, so how can the RMOW allow an industrial container, a blight, into a residential setting?

As a resident, a design professional and Chair of Advisory Design Panel, I strongly recommend that the RMOW enforce existing bylaws and /or amend the bylaw to prohibit all forms of 'temporary structures' in residential zones including but not limited to shipping containers and pop-up garage canopies.

I would also recommend that the bylaw be amended to allow garden structure (with or without an overhead roof or trellis, but no walls) to a maximum of 3.0m (roof height) as long as they are no closer than 3.0m to any boundary and do not exceed 100m² within the structural supports. This item could be added to 5.7.1 (d) 'landscape features'.

Thank you,

Crosland Doak, MBCSLA, BLA, BArch.



Crosland Doak Design

604 966-8309

3121 Alta Vista Rd

Whistler BC V0N 1B3

croslanddoakdesign.com