

# WHISTLER

## AGENDA

### PUBLIC HEARING OF MUNICIPAL COUNCIL TUESDAY, JUNE 9, 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 (2121 Lake Placid Road) No. 2087, 2015" (the "proposed Bylaw(s)").

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 (2121 Lake Placid  
Road) No. 2087, 2015

#### **PURPOSE OF ZONING AMENDMENT BYLAW (2121 Lake Placid Road) NO. 2087, 2015**

In general terms, the purpose of the proposed Bylaw is to rezone the subject lands from RT3 (Two Family Residential Three) to RM25 Zone (Multiple Residential Twenty-Five), to bring an existing legally non-conforming triplex use into conformity with the Municipality's Zoning Bylaw.

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 (2121 Lake Placid Road) No. 2087, 2015		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing
Bylaw	May 26, 2015	Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015
Council Minutes	May 26, 2015	Minutes of the Regular Meeting of Council.
Council Report	May 26, 2015	Administrative Report 15-071 to Council.
Presentation Slides	May 26, 2015	Presentation slides by K. Creery, Planning Analyst.
Correspondence		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](http://www.whistler.ca) FAX 604 932 8109

## **NOTICE OF PUBLIC HEARING**

**TUESDAY, June 9, 2015 – 6:00 P.M.**

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

### **ZONING AMENDMENT BYLAW (2121 Lake Placid Road) NO. 2087, 2015**

#### **SUBJECT LANDS: 2121 Lake Placid Road, Whistler, BC**

More specifically these lands are described as: Lot 9, Block C, District Lot 4749, Plan 13297, NWD, PID: 008-689-351 and as shown on the map attached to this notice.

#### **PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to rezone the subject lands from RT3 (Two Family Residential Three) to RM25 Zone (Multiple Residential Twenty-Five), to bring an existing legally non-conforming triplex use into conformity with the Municipality's Zoning Bylaw.

#### **INSPECTION OF DOCUMENTS:**

A copy of the proposed Bylaw and relevant background documentation may be inspected on our website at [www.whistler.ca/events](http://www.whistler.ca/events) (see June 9, 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 June 9, 2015):

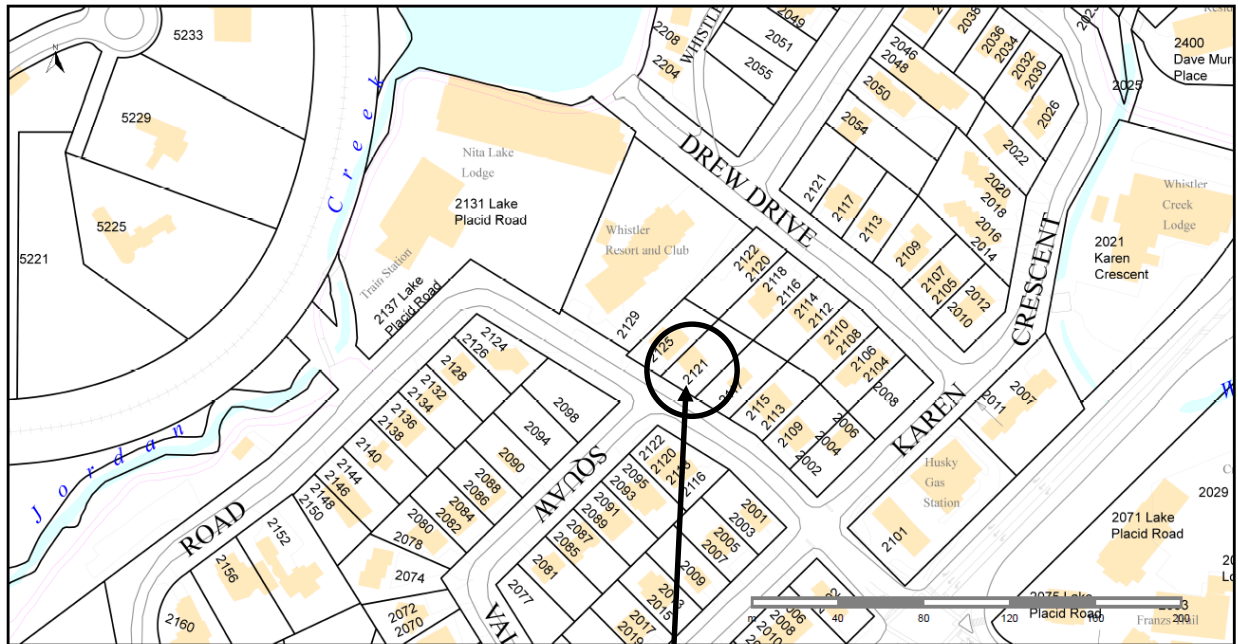
**Email:** [corporate@whistler.ca](mailto:corporate@whistler.ca)  
**Fax:** 604-935-8109  
**Hard Copy:** Legislative Services Department  
4325 Blackcomb Way  
Whistler BC V0N 1B4

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

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

Shannon Story  
Corporate Officer

**ZONING AMENDMENT BYLAW No. 2087, 2015**  
**SUBJECT LANDS – 2121 Lake Placid Road, Whistler, BC**



Subject Property

**RESORT MUNICIPALITY OF WHISTLER  
ZONING AND PARKING AMENDMENT BYLAW NO. 2087, 2015**

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

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

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

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (2121 Lake Placid Road) No.2087, 2015".
2. The parcel of land that is the subject of this Bylaw is located at 2121 Lake Placid Road, identified as PID 008-689-351, and legally described as Lot 9, Block C, District Lot 4749, Plan 13297.
3. Schedule "A" to Zoning and Parking Bylaw No. 303, 1983 is amended by changing the zoning designation of the land described in section 2 of this Bylaw from RT3 (Two Family Residential Three) to RM25 (Residential Multiple Twenty-Five).

GIVEN FIRST READING this 26<sup>th</sup> day of May, 2015.

GIVEN SECOND READING this 26<sup>th</sup> day of May, 2015.

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

GIVEN THIRD READING this \_\_ day of \_\_\_\_, \_\_\_\_.

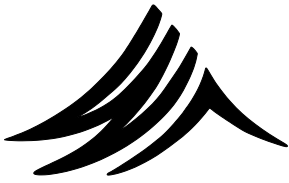
ADOPTED by the Council this \_\_ day of \_\_\_\_, \_\_\_\_.

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

\_\_\_\_\_  
Shannon Story,  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of "Zoning Amendment Bylaw (2121  
Lake Placid Road) No. 2087, 2015"

\_\_\_\_\_  
Shannon Story,  
Corporate Officer



# WHISTLER

## MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL  
TUESDAY, MAY 26, 2015, STARTING AT 5:30 PM**

**In the Franz Wilhelmssen 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

Mayor for a Day: Abbey Mellor  
Press Secretary: Mallory Mellor

### **ABSENT:**

Chief Administrative Officer, M. Furey  
General Manager of Corporate and Community Services, N. McPhail  
Acting General Manager of Infrastructure Services, J. Hallisey  
General Manager of Resort Experience, J. Jansen  
Director of Planning, M. Kirkegaard  
Corporate Officer, S. Story  
Manager of Communications, M. Comeau  
Senior Planner, J. Belobaba  
Senior Planner, M. Laidlaw  
Planner, B. McCrady  
Planning Analyst, K. Creery  
Communications Officer, P. Bushwell Lafrance  
Legislative Services Coordinator, N. Best  
Recording Secretary, A. Winkle

### **ADOPTION OF AGENDA**

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

**That** Council adopt of the Regular Council agenda of May 26, 2015.

CARRIED

### **ADOPTION OF MINUTES**

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

**That** Council adopt the Regular Council minutes of May 12, 2015.

CARRIED

## **PUBLIC QUESTION AND ANSWER PERIOD**

*There were no questions from the public.*

## **MAYOR'S REPORT**

Mayor Wilhelm-Morden reported that Council was deeply saddened by the tragic loss of Luca Gordic and the other young man injured in a separate incident on the Victoria Day Long Weekend. We understand from the RCMP these were isolated and unrelated incidents. Whistler has undertaken steps this year and in recent years over the May Long Weekend to deter this type of violent behaviour when thousands of Lower Mainland youth arrive in Whistler. These efforts have included additional RCMP presence, security, coordinated efforts with bars and accommodations. She thanked the work by the May Long Weekend Committee and others involved in weekend planning. A special thank you to the significant efforts of the RCMP to proactively plan and implement policing over this weekend including a police presence of roughly three times that of a regular summer weekend, more bike patrols in areas outside of the main Village stroll, a more visible presence, highway road blocks, and a zero tolerance policy toward all matters such as drinking in public, violent behavior, and the possession of liquor. She commended the RCMP for arresting those involved in the homicide within minutes of the incident. All reports are that the overall Village vibe has improved significantly overall over recent years, while we still have a large confluence of young people in hotel rooms and in the Village, particularly late in the evening, and that will be considered in future planning. Moving forward, we will work with our partners to continue to deliver programming, a robust police presence, and crime prevention work by accommodations and bars. It is a complex matter that requires careful consideration and planning over the next several months. We continue to be committed to our May Long Weekend Committee to play a leadership role in this initiative. Councillor Grills and Norm McPhail are our representatives on this committee. The RCMP will be conducting a full detailed review and committing to plans for future years. Some considerations for future years may include an even more significant RCMP presence on the highway, and further development of the RCMP bike patrol. In addition to the policing plans for the weekend, we will also schedule music, races and a wide variety of programming to celebrate the beginning of summer in Whistler. GO Fest, now in its second year, saw high levels of participation and contributed to the changing face of the weekend.

Mayor Wilhelm-Morden shared some of the findings and numbers from the weekend:

- The results of a survey during the weekend show that GO Fest is appealing and engaging to both residents and visitors to Whistler.
- Three quarters of the people in Whistler Village during the long weekend attended or engaged with GO Fest.
- GO Fest was well received by attendees – 82% were satisfied with the festival.
- Overall, attendees were satisfied with their Whistler experience (99%) and the overall vibe in the resort (90%).

- 92 people raced in the GO Enduro bike event, coming from as far as California, New Hampshire and Australia.
- There was a successful tennis tournament, disc golf and volleyball events and sailing clinics.
- \$5,300 was raised for those affected by the Nepal earthquakes in the Yoga Jam.
- Capacity crowds came to see the concerts each day.
- The Farmer's Market in the Upper Village had 50 vendors and was jam packed all day.

Mayor Wilhelm-Morden thanked the team at Crankworx Events Inc. and the many others who were involved in planning and producing GO Fest, and to those who participated and volunteered.

Mayor Wilhelm-Morden reported that Council met with the Village of Pemberton Council almost two weeks ago to discuss matters of mutual concern. They will continue to work together.

Mayor Wilhelm-Morden reported on water safety, with the warm weather on its way. Small children should always be within arm's reach. Make sure you use sturdy boats when floating on lakes and the River of Golden Dreams, and wear a Canadian approved personal flotation device, such as a life-jacket, when on board a boat, paddle board, raft or inner tube. A reminder that parks are open from dawn until dusk and alcoholic beverages are not allowed in parks. The RCMP and Bylaw Services will be patrolling parks this summer.

Mayor Wilhelm-Morden reported that last week was Local Government Awareness Week. To celebrate, the Resort Municipality of Whistler ran a Mayor for the Day contest for Grade 5 students throughout Whistler. The municipality also visited Grade 5 and 6 classes at Spring Creek Community School to educate students about the municipality's role. Contestants wrote a letter about what they would do if they were Mayor for the Day. Here today is Abbey Mellor, a Grade 5 Student from Spring Creek Community School. Abbey is Whistler's Mayor for the Day and she has brought her Press Secretary, her sister Mallory Mellor. Mayor Wilhelm-Morden commended all the kids who applied to be Mayor for the Day, and commented on the importance of learning about all levels of government, but in particular local government as it affects them every day.

Mayor-for-a-Day Abby Mellor reported that during her day as Mayor, she visited several departments. First she visited the Mayor and CAO and discussed the history of Council in Whistler. They met with Candice at the Customer Service desk and answered calls and created bus passes. They met with Erin who is in charge of preparing for emergencies, and learned that in an emergency their school, Spring Creek, would be used as a shelter. Also, the Mayor can ask people to evacuate the area and start rationing if food is short. Next, they went to the Committee of the Whole meeting with the Mayor and Council.

*The Mayor for a Day read her submission letter:*



*Dear Mayor,*

*If I were Mayor of Whistler for a day I would...*

- 1) Create an award for Environmental Service by a local. For example, I would nominate my neighbor Chris. I watch him while I walk my dog. He takes his paddle board to Nita Lake with on or two buckets and he paddles around picking up garbage from the weeds and shoreline. This award would help keep Whistler beautiful all year, not just on Pitch in Day. I think it would be nice to recognize these people and encourage others as well.*
- 2) In my class we are doing a project. It is a fake Election and we are learning about campaigning, elections and local government. As Mayor, I would start one daytime Council meeting were school classes could take field trips to watch. This would be a great learning experience. I would encourage students to write letters to Council with their suggestions.*
- 3) I would create a Zip-line from Creekside (where I live) to my school (Spring Creek). It would not use gas or electricity. Students would arrive at school happy and awake ready to start the day.*
- 4) I would love to see more wild life in Whistler. This is hard to do but as Mayor, I would create a central photo gallery on the Whistler Municipal website (whistler.ca). This way everyone could send their wild animal photos and we all could view and enjoy them. For example, my friend Boyd saw a moose in the Soo Valley. If he had sent a photo, we all could see the moose. Visitors and locals. I would love that.*

*This is why I, Abbey Mellor, would like to be Mayor of Whistler for one day! I think it is cool that Whistler has a woman mayor. Girl Power.*

Mayor for a Day Abbey Mellor reported that based on her experiences today, she would like to put forward a motion that Council hold a special Council meeting for Grade 5 and 6 students to attend during the day.

Mayor for a Day Abbey Mellor asked her Press Secretary to make a special announcement.

Press Secretary Mallory Mellor announced that the Great Lawn is officially open.

Moved by Mayor Wilhelm-Morden  
Seconded by Councillor A. Janyk

**That** Council hold a special meeting of Council next year during the day for grade 5 students in connection with mayor-for-a-day and Local Government Week.

CARRIED

*At 5:41 p.m. a recess was called.*

*At 5:44 p.m. the meeting resumed, with Councillor S. Anderson absent.*

### ADMINISTRATIVE REPORTS

DVP 1096 – 8537  
Ashleigh McIvor Drive –  
Retaining Wall Setback  
and Height Variances  
Report No. 15-069  
File No. DVP 1096

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

**That** Council approve the issuance of Development Variance Permit DVP 1096 for the proposed development located at 8537 Ashleigh McIvor Drive to:

1. Vary the east side setback from 1.0 metre to 0.0 metres from the property line and vary the height from 0.6 metres to 1.8 metres for a proposed rock stack retaining wall; and,
2. Vary the height from 0.6 metres to 4.9 metres for a proposed two-tiered rock stack retaining wall located 2.0 metres from the south property line;

all as shown on the architectural plans A-1.0, L-1.1, L-1.2, L-1.3, L-1.4 dated April 7, 2015, prepared by Murdoch and Company Architecture and Planning Ltd. and attached as Appendix B to Administrative Report No. 15-069.

CARRIED

DVP 1099 – 8505  
Ashleigh McIvor Drive -  
Retaining Wall Setback  
and Height Variances  
Report No. 15-070  
File No. DVP 1099

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

**That** Council approve the issuance of Development Variance Permit DVP 1099 for the proposed development located at 8505 Ashleigh McIvor Drive to:

1. Vary the east side setback from 1.0 metre to 0.0 metres from the property line and vary the height from 0.6 metres to 1.2 metres for a proposed rock stack retaining wall; and,
2. Vary the height from 0.6 metres to 1.8 metres for a proposed rock stack retaining wall that is within the allowable setback area at the south side parcel line.

All as shown on the architectural plans no. A-1.1, A-1.2 dated April 7, 2015 and the South Elevation: Illustration of Proposed Retaining Lot 2 Baxter Creek drawing and Existing Site Photos drawing dated April 14, 2015, as prepared by Murdoch and Company Architecture and Planning Ltd. and attached as Appendix B to Administrative Report No. 15-070.

CARRIED

*At 5:45 p.m. Councillor S. Anderson joined the meeting.*

RZ 1104 – 2121 Lake  
Placid Road Triplex  
Report No. 15-071  
File No. RZ1104, Bylaw  
2087

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

**That** Council consider giving first and second readings to "Zoning Amendment Bylaw No. 2087 (2121 Lake Placid Road), 2015";

**That** Council authorize staff to schedule a public hearing regarding Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015;

**That** Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Payment of any outstanding rezoning application fees.
2. Submission of a landscape plan for the front parking area.
3. Removal of the shipping container from the subject property.

**That** Council authorize the Mayor and Corporate Officer to execute any necessary legal documents for this application.

CARRIED

RZ 1069 – 8340  
Mountainview Drive –  
Land Use Contract  
Discharge and Rezoning  
Report No. 15-071  
File No. RZ 1069

*Mayor Wilhelm-Morden declared a conflict of interest, as one of her partners is involved with the property, and left the meeting.*

*Councillor A. Janyk was Chair of the meeting in her absence.*

*At 6:00 p.m. a Public Hearing was held for Land Use Contract Amendment Authorization Bylaw (Blueberry Hill) No. 2088, 2015, and Mayor Wilhelm-Morden joined the meeting.*

*At 6:05 p.m. the meeting resumed, and Mayor Wilhelm-Morden left the meeting.*

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

**That** Council consider giving third reading to Land Use Contract Discharge and Zoning Amendment Bylaw (RS1 Zone - 8340 Mountainview Drive) No. 2058, 2014;

**That** Council direct staff to advise the applicant that before consideration of adoption of Land Use Contract Discharge and Zoning Amendment Bylaw (RS1 Zone - 8340 Mountainview Drive) No. 2058, 2014, the following matters are to be completed to the satisfaction of the General Manager of Resort Experience:

1. Discharge of existing no further subdivision covenant registered on title of 8340 Mountainview Drive (Lot 29), 8332 Mountainview Drive (Lot P) and 8238 Mountainview Drive (Lot Q) as G317 subject to item #2 below, as consistent with the legal addresses
2. Registration of a new covenant on Lots 29, P and Q to:
  - a) prohibit any further subdivision beyond that contemplated by the plans attached as Appendix B to Report 15-071 ;
  - b) restrict access to said proposed subdivision to the alignment identified in Appendix C to Report 15-071 and to RMOW standards;

- c) secure tree preservation areas and building envelopes consistent with the plans attached as Appendix B to Report 15-071;
  - d) require a final landscape plan and landscape security generally in conformance with the Planting Plan attached as Appendix B to Report 15-071;
  - e) require all residences on Lot 29 (proposed Lots P and 29) to be sprinklered to NFPA Standards and all development to use low or non-combustible siding and Fire-Smart principles;
  - f) require environmental monitoring during construction;
  - g) require geotechnical engineer sign-off on all final cut and fill construction; and,
  - h) require a green building commitment consistent with Green Building Policy G-23;
3. Registration of a Statutory Right of Way and Section 219 Covenant between the owner of Lot 29 and the RMOW to permit access to and from neighbouring Lots 30, 31 and 32 from Mountainview Drive and permit the owners of Lots 30, 31 and 32 to install utility works, all at the RMOW's sole discretion;
4. Frontage variances for the proposed subdivision and retaining wall variances for the proposed road approved for issuance; and further,

**That** Council authorize the Mayor and Corporate Officer to enter into a future access and utilities easement with the owners of Lots 29, 30, 31 and 32 to secure access to and from Lots 30, 31 and 32 over Lot 29 and to permit the owners of Lots 30, 31 and 32 to install utility works over Lot 29.

CARRIED

*At 6:21 p.m. Mayor Wilhelm-Morden returned to the meeting.*

DP 1342 – 4165 Springs  
Lane – Garibaldi Lift  
Company Patio  
Improvements  
Report No. 15-073  
File No. DP 1342

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

**That** Council approve the issuance of Development Permit DP 1342 for patio improvements to the Garibaldi Lift Company per the architectural plans A0 – A20 prepared by Michael Green Architecture, dated May 7, 2015 attached as Appendix B to Council Report No. 15-073, which includes the following variance to the Zoning Bylaw:

- a) Vary north setback for the canopy structure from 30 metres to 0.5 metres from the property line

subject to the resolution of the following items to the satisfaction of the General Manager of Resort Experience:

1. Finalization of the detailed items specified in the letter attached as Appendix H to Council Report No. 15-073; and further,
2. Registration of a Section 219 covenant to implement the existing and proposed noise mitigation measures identified in Appendix G to Council Report No. 15-073.

CARRIED

Water Meter  
Specifications Bylaw  
Amendment  
Report No. 15-074  
File No. 204

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

**That** Council consider giving first, second, and third readings to Water User Rates Amendment (Water Meter Specifications) Bylaw No. 2091, 2015 as amended to include the word "writing" in Table 1 of Schedule C of the bylaw to read, "as approved by the municipality in writing."

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 April 23, 2015 be received.

CARRIED

Recreation and Leisure  
Advisory Committee

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

**That** minutes of the Recreation and Leisure Advisory Committee meeting of April 9, 2015 be received.

CARRIED

Advisory Design Panel

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

**That** minutes of the Advisory Design Panel meeting of April 15, 2015 be received.

CARRIED

#### **BYLAWS FOR FIRST AND SECOND READINGS**

Zoning Amendment  
Bylaw No. 2087 (2121  
Lake Placid Road), 2015

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

**That** Zoning Amendment Bylaw No. 2087 (2121 Lake Placid Road), 2015 receive first and second reading.

CARRIED

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

Water User Rates  
Amendment (Water  
Meter Specifications)  
Bylaw No. 2091, 2015

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

**That** Water User Rates Amendment (Water Meter Specifications) Bylaw No. 2091, 2015 receive first, second and third readings.

CARRIED

### BYLAWS FOR THIRD READING

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

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

**That** Land Use Contract Amendment Authorization Bylaw (Blueberry Hill) No. 2088, 2015 receive third reading.

CARRIED

Land Use Contract  
Discharge and Zoning  
Amendment Bylaw (RS1  
Zone - 8340  
Mountainview Drive) No.  
2058, 2014

*At 6:40 p.m. Mayor Wilhelm-Morden declared a conflict of interest and left the meeting.*

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

**That** Land Use Contract Discharge and Zoning Amendment Bylaw (RS1 Zone - 8340 Mountainview Drive) No. 2058, 2014 receive third reading.

CARRIED

*At 6:40 p.m. Mayor Wilhelm-Morden returned.*

### BYLAWS FOR ADOPTION

Water User Fee  
Amendment Bylaw No.  
2089, 2015

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

**That** Water User Fee Amendment Bylaw No. 2089, 2015 be adopted.

CARRIED

Sewer User Fee  
Amendment Bylaw No.  
2090, 2015

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

**That** Sewer User Fee Amendment Bylaw No. 2090, 2015 be adopted.

CARRIED

### OTHER BUSINESS

*There were no items of Other Business.*

### CORRESPONDENCE

Non Smoking Policy  
File No. 3009

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

**That** correspondence from June Olson, dated May 15, 2015, regarding the new non-smoking policy at Whistler Blackcomb be received.

CARRIED

Smoking  
File No. 3009

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

**That** correspondence from Pamela McColl, dated May 15, 2015, regarding the new non-smoking policy at Whistler Blackcomb be received.

CARRIED

May Long Weekend  
File No. 3009

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

**That** correspondence from Ian and Ann Johnson, dated May 18, 2015, regarding the May Long Weekend be received and referred to staff and the May Long Weekend Committee for consideration.

**That** correspondence from I. T. Bern, dated May 19, 2015, regarding the May Long Weekend be received and referred to staff and the May Long Weekend Committee for consideration.

**That** correspondence from Clark Lewis, dated May 19, 2015, regarding the May Long Weekend be received and referred to staff and the May Long Weekend Committee for consideration.

**That** correspondence from Paul Fournier, dated May 20, 2015, regarding the May Long Weekend and proposing a 10:00 p.m. curfew for the next May Long Weekend be received and referred to staff and the May Long Weekend Committee for consideration.

**That** correspondence from David Leung, dated May 18, 2015, regarding the May Long Weekend be received and referred to staff and the May Long Weekend Committee for consideration.

CARRIED

Safety Zone in Taxi  
Loop  
File No. 3009

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

**That** correspondence from Jim Horner, dated May 18, 2015, requesting an advertised safety zone at the taxi loop be received and referred to staff.

CARRIED

Environmental Legacy  
Grants  
File No. 3009

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

**That** correspondence from Carol Coffey, Executive Director of the Community Foundation of Whistler, dated May 12, 2015, thanking the Resort Municipality of Whistler for the use of the meeting room be received.

CARRIED

SLRD Regional Growth  
Strategy  
File No. 3009, 7511.3

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

**That** correspondence from Lynda Flynn, Chief Administrative Officer for the Squamish-Lillooet Regional District, dated May 13, 2015, regarding the Squamish-Lillooet Regional District Regional Growth Strategy Review be received and referred to staff.

CARRIED

#### **ADJOURNMENT**

Moved by Councillor J. Crompton

**That** Council adjourn the May 26, 2015 Council meeting at 6:47 p.m.

CARRIED

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Mayor N. Wilhelm-Morden

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Corporate Officer: S. Story





## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** May 26, 2015

**REPORT:** 15-071

**FROM:** Resort Experience

**FILE:** RZ1104, Bylaw 2087

**SUBJECT:** RZ 1104 – 2121 LAKE PLACID ROAD TRIPLEX

### 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 No. 2087 (2121 Lake Placid Road), 2015”;

**That** Council authorize staff to schedule a public hearing regarding Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015;

**That** Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Payment of any outstanding rezoning application fees.
2. Submission of a landscape plan for the front parking area.
3. Removal of the shipping container from the subject property.

**That** Council authorize the Mayor and Corporate Officer to execute any necessary legal documents for this application.

### REFERENCES

Location: 2121 Lake Placid Road

Legal Description: Lot 9, Block C, District Lot 4749, Plan 13297

Owner: Maxwell Buhler

Current Zoning: RT3 (Two Family Residential Three)

Proposed Zoning: RM25 (Residential Multiple Twenty-Five)

Appendices: “A” – Location Map

“B” – Existing Plans

“C” – Photo of subject property

### PURPOSE OF REPORT

The purpose of this report is to request Council’s approval of 1<sup>st</sup> and 2<sup>nd</sup> readings of Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087 to change the zoning of the subject property from RT3 Zone (Two Family Residential Three) to the RM25 Zone (Residential Multiple Twenty-

Five) in order to bring an existing legally non-conforming triplex use into conformity with the Municipality's Zoning Bylaw.

## **DISCUSSION**

The subject property located at 2121 Lake Placid Road in Whistler Creek has an existing legal non-conforming triplex development (see Appendix A Location Map). The current RT3 zoning does not allow triplex as a permitted use. The proposal is to rezone the property to the RM25 zone, which permits triplexes. This is consistent with previous rezonings for historically existing triplexes in the Whistler Creek.

### **Background**

The existing triplex was built with building permits in 1972 when Whistler Creek was in the Squamish-Lillooet Regional District (SLRD) jurisdiction. The triplex was rezoned to RT3 in 1993. It is considered to be an existing legally non-conforming use in accordance with the *Local Government Act*.

The zoning amendment bylaw adopted in 1993 to create the RT3 zone, which applied to the subject property, established existing non-conforming duplexes in Whistler Creek as a permitted land use but did not address existing triplexes. Following the creation of the RT2 zone, the Municipality received a number of requests to also legalize existing non-conforming triplexes in Whistler Creek.

In response to the requests, staff prepared a Council report which discussed the zoning history of triplexes, their legal status and recommended that they be legalized by way of a zoning amendment. Council resolved to direct staff to prepare a new zone which could be applied to the existing non-conforming triplexes and to notify all owners of non-conforming triplexes in the Whistler Creek area of the proposed zoning amendment.

In response to a letter from staff, owners from six existing triplexes in Whistler Creek applied to have their property rezoned to a new RM 25 zone (Zoning Amendment Bylaw 1172, 1995) to legalize their existing non-conforming triplex (Zoning Amendment Bylaws 1173-1178, 1995). A seventh triplex owner came forward in 1997 (Zoning Amendment Bylaw 1270, 1997) to also legalize their existing non-conforming triplex from RT3 to RM25, which was approved through a subsequent zoning amendment bylaw. The subject property was not included in these previous rezonings.

### **Proposed Rezoning**

The proposed rezoning for the subject property is an application from the current owner who purchased the property in 2001 and until recently was unaware of the previous triplex rezonings in Whistler Creek. The owner has applied to rezone the property from RT3 to the RM25 consistent with the approach for the other triplexes in Whistler Creek. Staff have prepared "Zoning Amendment Bylaw No. 2087 (2121 Lake Placid Road), 2015" for Council consideration to make the proposed zoning change. The bylaw is presented for Council consideration of first and second reading.

The RM25 zone has 3 metre side setbacks. The existing triplex is 1.33 metres from the west side setback (Appendix B). Under the proposed rezoning, the triplex would be a permitted use and the existing building footprint would continue to be legally non-conforming. For a future renovation the owner could apply to the Board of Variance to continue the existing legally non-conforming use at

that setback. Redevelopment of the property would be required to meet all regulations of the RM25 zone including the setback requirements.

There is a shipping container on site at the rear of the property that will be removed and it is a subject condition of approval of the zoning amendment for the removal of the container. There is an office/workshop at the rear of the property that will require a building permit as it was not shown on any building permits.

As a condition of rezoning, landscaping including some fencing will be added to the front parking area to improve the neighbourhood character and look of the triplex from the street. Security will be taken to ensure proposed landscaping is undertaken. Parking will not be impacted as a result of the landscaping additions.

## WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected	The triplex building footprint will remain the same.
	Residents live, work and play in relatively compact, mixed-use neighbourhoods that reflect Whistler's character and are close to appropriate green space, transit, trails, amenities and services	Whistler Creek offers a mixed use neighbourhood that reflects Whistler's character and is close to green space, transit, trails, amenities and services.
Resident Housing	Residents enjoy housing in mixed-used neighbourhoods that are intensive, vibrant and include a range of housing forms.	Triplex offers another type of housing different from a detached dwelling or duplex.
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Landscaped areas consist of native plant species that eliminate the need for watering and chemical use	Landscaped areas are limited on the subject property. Landscape security will be required as a subject condition to secure some landscaping in the front setback area around the parking area.

## OTHER POLICY CONSIDERATIONS

### ZONING AND PARKING BYLAW 303

The proposed zoning of the property to RM25 will establish the existing triplex as a permitted use. The existing development meets all regulations of this zone with the exception of the west side setback.

The RM25 zone is the same zoning as for seven other existing triplexes in the neighbourhood. There is a triplex across the street and immediately adjacent to the west of the subject property. The existing density of the subject property is 3,099 square feet or 288 square metres, less than the RM25 gross floor area maximum of 375 square metres.

The existing triplex is not being renovated at this time and the existing condition of the triplex will remain the same with the exception of the addition of landscaping to the front setback area. This additional landscaping will still allow for existing 5 parking stalls to remain on the subject property.

## OFFICIAL COMMUNITY PLAN

Whistler's OCP outlines specific items for review with respect to rezoning applications. A brief summary follows:

**Table 1: OCP Criteria for Evaluating Proposals for Zoning Amendments**

OCP Criteria	Comments
Capable of being served by municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Environmental Impact Assessment	N/A
Traffic volumes and patterns on Highway 99 and the local road system	Significant change in vehicular volumes is not anticipated. Further study is not required.
Overall patterns of development of the community and resort	Consistent with overall patterns of development in Whistler Creek and the resort.
Municipal Finance	No known negative impacts.
Views and Scenery	No change to existing triplex at this time
Existing Community and Recreation Facilities	No impact.
Employee Housing	N/A
Heritage Resources	N/A
The project must exhibit high standards of design, landscaping and environmental sensitivity.	This is desired by the applicant and a landscaping plan will be a subject condition of the rezoning proposal.
The project will not negatively affect surrounding areas by generating excessive noise or odours.	No negative effects are anticipated.
The project maintains high standards of quality and appearance.	Landscaping will improve the appearance of the front setback area.
No development will be approved if it would negatively impact a designated municipal trail system, recreation area, or open space.	N/A

## GREEN BUILDING POLICY

Since no development is proposed at this time a Green Building Checklist will not be required.

## BUDGET CONSIDERATIONS

The zoning bylaw amendment is subject to rezoning application processing fees. All costs associated with staff time for the rezoning application, public hearing, notices, and legal fees will be paid by the applicant and all fees will be required to be paid in full as a condition of adoption of the zoning amendment bylaw.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

The required rezoning application site information sign has been posted on the property. A public hearing will be required prior to third reading of the zoning amendment bylaw and neighbours will be notified of the public hearing date, location and time.

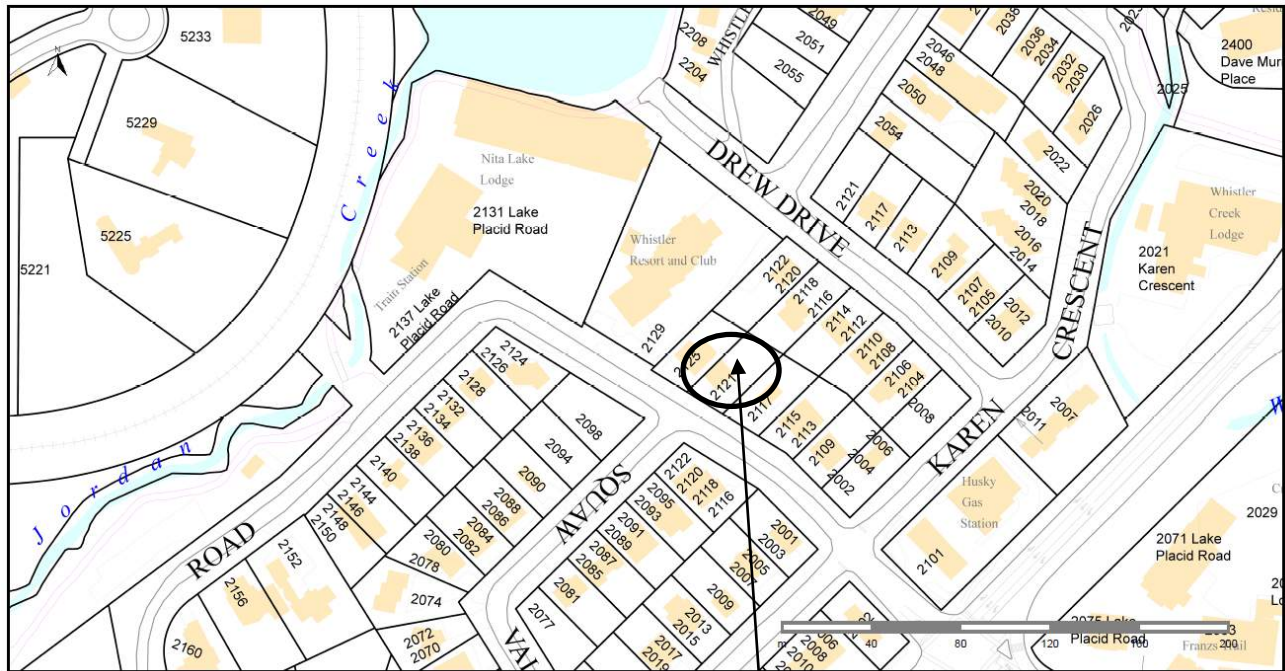
## **SUMMARY**

This report recommends that Council give first and second readings to Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015 and that Council authorize a public hearing regarding the Bylaw.

Respectfully submitted,

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

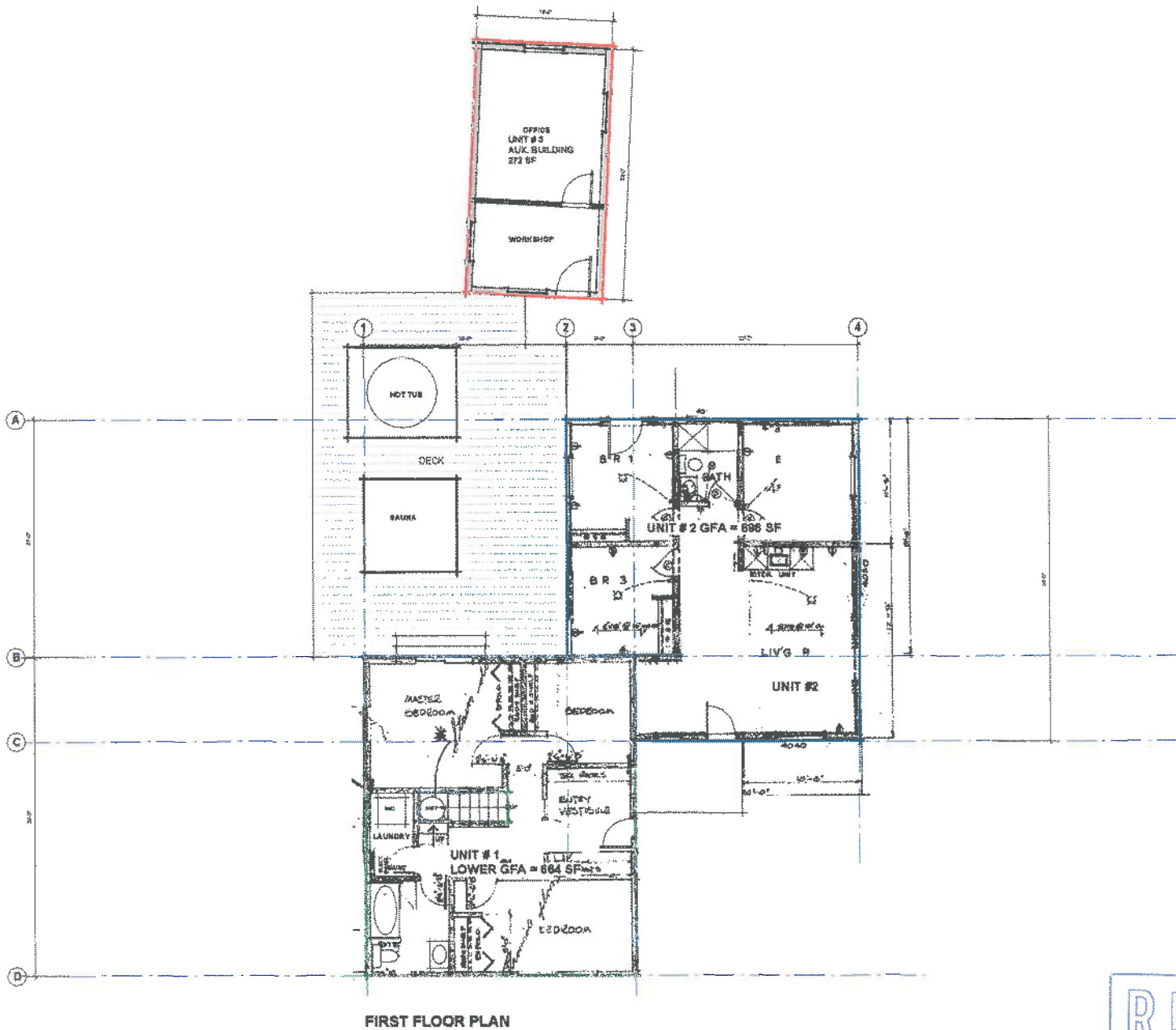
Appendix A: Location Map



SUBJECT PROPERTY

## APPENDIX B





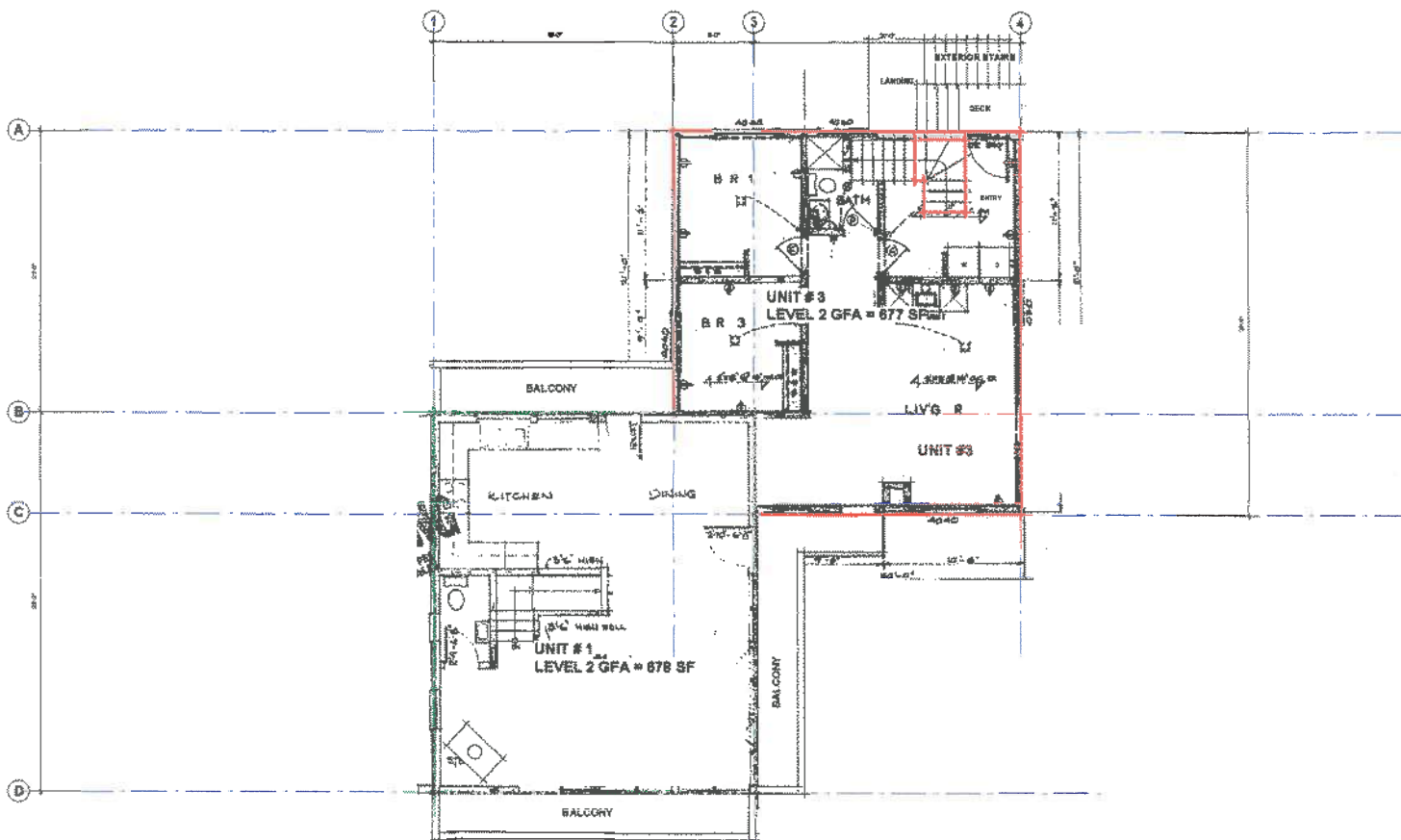
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2	18/01/15	REZONING APPLICATION
1	18/01/15	DRAFT FOR REVIEW
Rev	Date	Drawn By
<b>kat sullivan</b> CONSULTING		
KAT SULLIVAN DESIGN 6401 Midway Drive Whistler BC V8N 1B8 Tel: 604.939.1111 Fax: 604.939.4885		
PROJECT: BULLER RESIDENCE 2121 LAKE PLACID ROAD WHISTLER		
<b>LOWER FLOOR PLAN</b>		
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REZONING PLANS ARE PROVIDED TO DEMONSTRATE CONCEPTS AND MASSING ONLY.

FEB 23 2015

RESORT MUNICIPALITY  
OF WHISTLER





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**kat sullivan**  
CONSULTING

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Whisper BC V0N 1B8  
KAT@KSDS.COM 604-522-5255

BULLER RESIDENCE  
2121 LAKE PLACID ROAD  
WHISTLER

**2ND FLOOR PLAN**

Scale: 1/8" = 1'-0"

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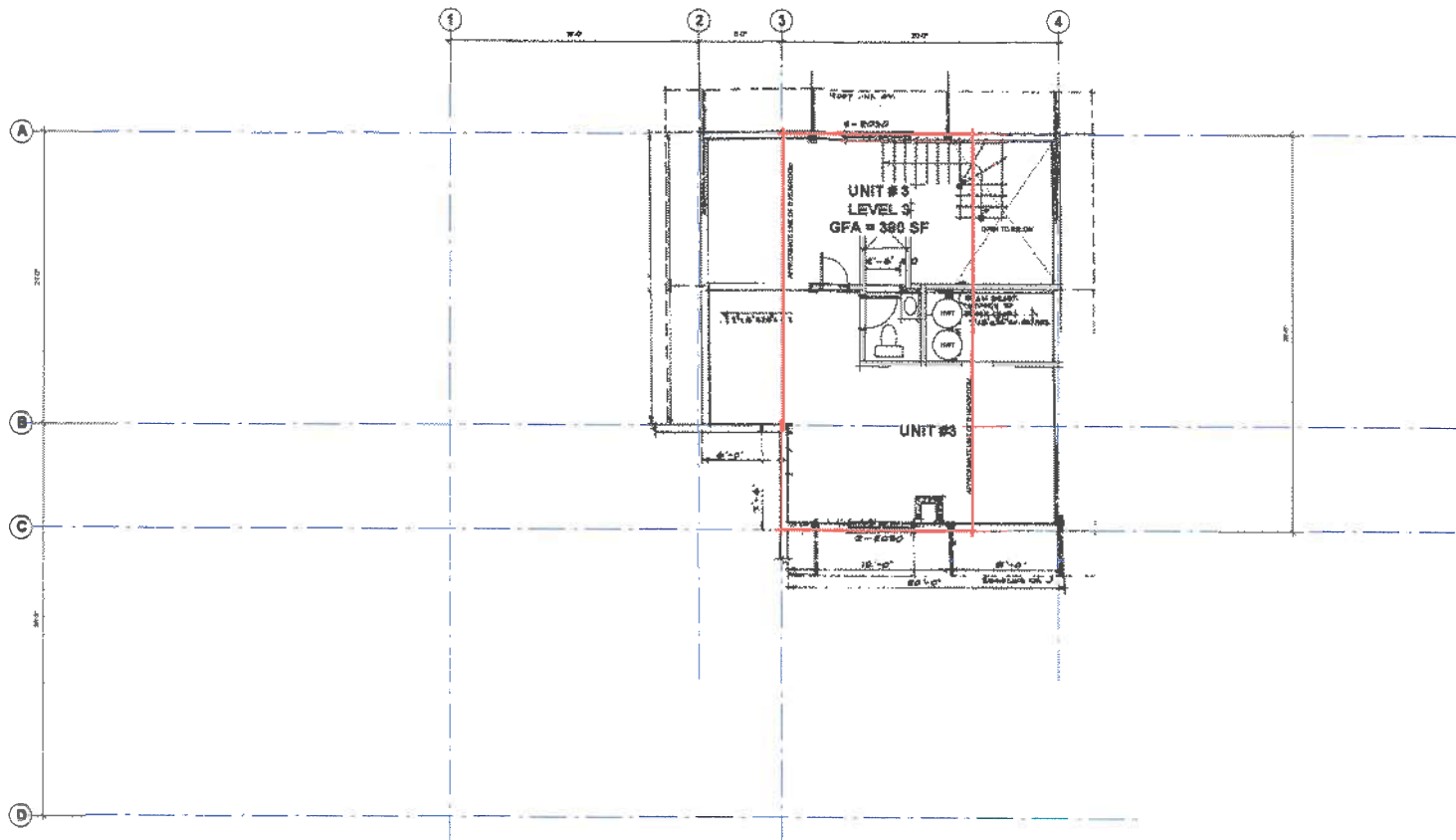
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RESORT MUNICIPALITY  
OF WHISTLER



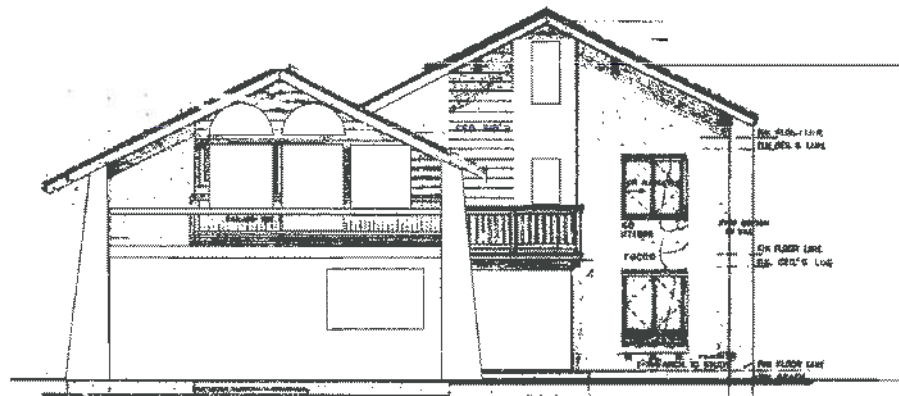
THIRD FLOOR PLAN

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2	10/2/15 DRAFT FOR REVIEW
No.	Date
KAT SULLIVAN CONSULTING	
KAT SULLIVAN DESIGN 8401 Main Street Whistler BC V8N 1B8 Kat.sullivan@katsullivan.ca 604-882-4000	
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BUHLER RESIDENCE 2121 LAKE PLACID ROAD WHISTLER	
THIRD FLOOR PLAN	
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Date	JAN 2016

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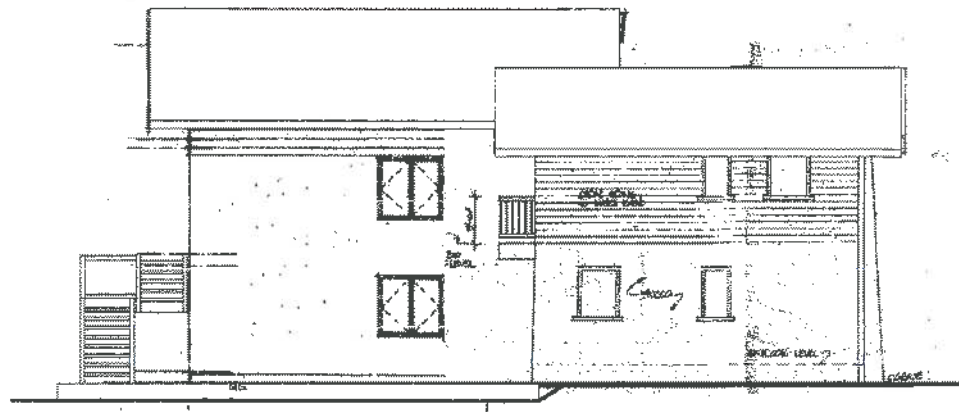
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FRONT (SOUTH) ELEVATION



FRONT PHOTO



WEST SIDE ELEVATION

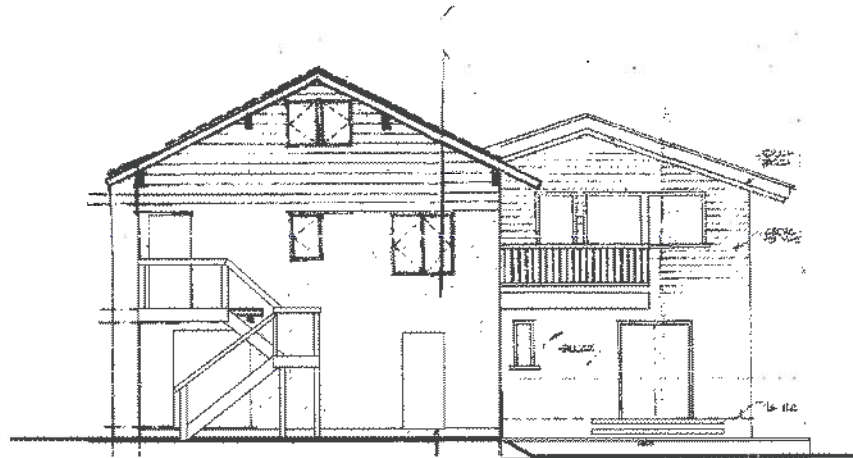
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REV.	DATE
<b>kat sullivan</b> CONSULTING	
<small>KAT SULLIVAN DESIGN 5401 Main Street Drive Whistler BC V8N 1B9 Tel: 604-939-1111 Fax: 604-939-1112</small>	
<small>By using this drawing, the user agrees that the user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.</small>	
<b>BUHLER RESIDENCE</b> 2121 LAKE PLACID ROAD WHISTLER	
<b>ELEVATIONS</b>	
<small>Scale: 1/8" = 1'-0"</small>	<small>Scale: 1/8" = 1'-0"</small>
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RESORT MUNICIPALITY



REAR (NORTH) ELEVATION



REAR PHOTO



EAST SIDE ELEVATION

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1	18/2/15	PRELIMINARY APPLICATION
2	18/2/16	DESIGN FOR REVIEW
3	18/2/16	DESIGN FOR REVIEW

**kat sullivan**  
CONSULTING

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8011 Main Street Drive  
Whistler BC V0N 1B8  
TEL: 604-939-8056

BUHLER RESIDENCE  
2121 LAKE PLAZA ROAD  
WHISTLER

**ELEVATIONS**

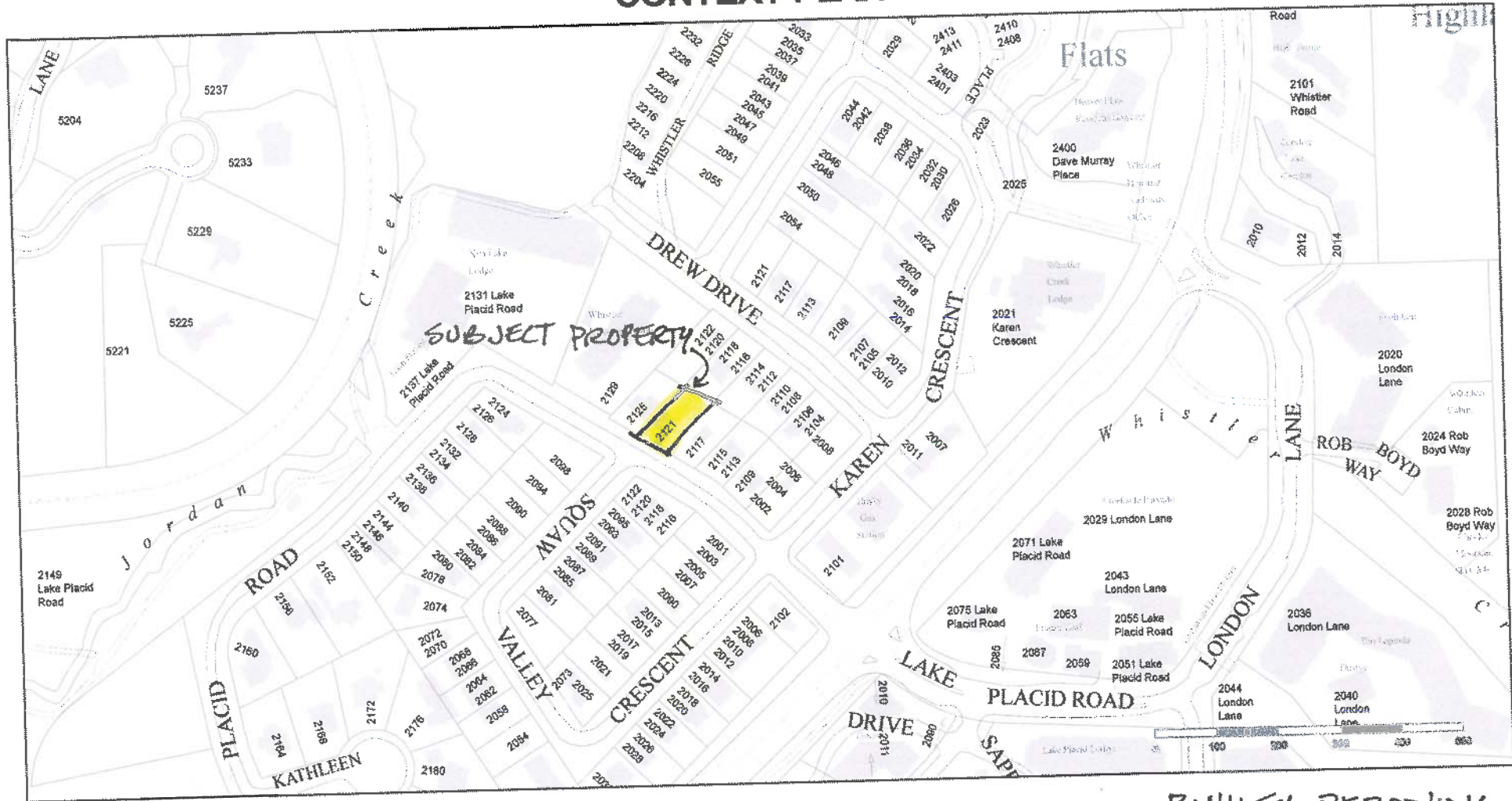
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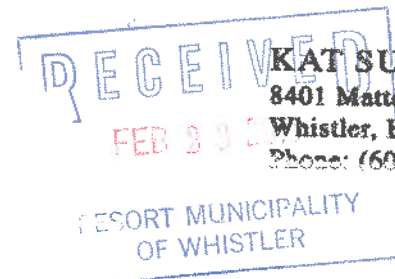


# CONTEXT PLAN

2121 LAKE PLACID RD



BUHLER REZONING  
APPLICATION  
Feb 19 2015



KAT SULLIVAN  
8401 Matterhorn Drive  
Whistler, B.C. V0N 1B8  
Phone: (604) 932-6055





# RZ 1104 – 2121 Lake Place Road - Triplex

## Zoning Amendment Bylaw

May 26, 2015

### RESORT MUNICIPALITY OF WHISTLER

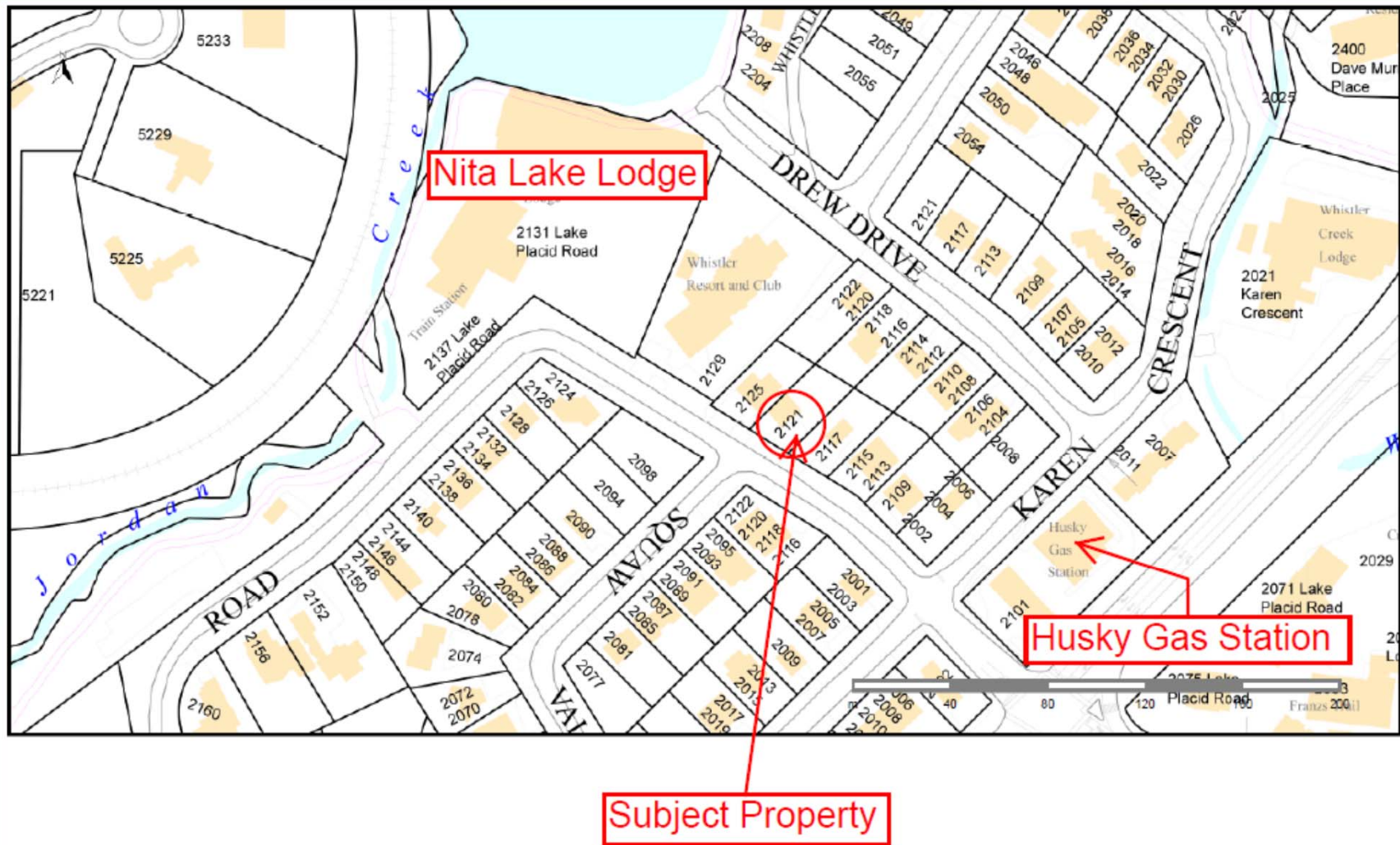
4325 Blackcomb Way  
Whistler, British Columbia  
Canada V0N 1B4  
[www.whistler.ca](http://www.whistler.ca)

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





# Subject Property Map





# Background

- The subject property has an existing legal non-conforming triplex development.
- Built with building permits in 1972 while in Squamish-Lillooet Regional District (SLRD) jurisdiction.
- RT3 zone created in 1993, for Whistler Creek area, included subject property allowed for duplexes, did not address any existing triplexes.
- 7 existing triplex properties in Whistler Creek rezoned from RT3 to RM25 between 1995-1997.
- Subject property purchased by the current owner in 2001, now seeking to legitimize existing triplex consistent with previous RM25 zonings.

# Proposed Rezoning

- Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015 prepared to rezone subject property from RT3 to RM25
- RM25 Zone allows for triplexes.
- The triplex building footprint meets all regulations of RM25 zone with the exception of the west side setback.
- The triplex is not being renovated at this time.
- Landscaping is being added to the front parking area as a subject condition of rezoning approval.

# Official Community Plan Evaluation

- The subject property is served by municipal water, sewer and fire protection services.
- It is accessible via the local road system and no significant change in vehicular volume is not anticipated.
- Consistent with overall patterns of development in Whistler Creek.
- No negative effects are anticipated to the surrounding area.
- Landscaping will be added to improve the appearance of the front parking area.

# Council Resolution

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw No. 2087 (2121 Lake Placid Road), 2015”;

**That** Council authorize staff to schedule a public hearing regarding Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015;

**That** Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (2121 Lake Placid Road) No. 2087, 2015, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Payment of any outstanding rezoning application fees.
2. Submission of a landscape plan for the front parking area.
3. Removal of the shipping container from the subject property.

**That** Council authorize the Mayor and Corporate Officer to execute any necessary legal documents for this application.