WHISTLER

AGENDA

REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, JANUARY 13, 2015 STARTING AT 5:30 PM

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

ADOPTION OF AGENDA

Adoption of the Regular Council agenda of January 13, 2015.

ADOPTION OF MINUTES

Adoption of the Regular Council minutes and Public Hearing minutes of December 16, 2014.

PUBLIC QUESTION AND ANSWER PERIOD

PRESENTATIONS/DELEGATIONS

Community Enrichment Program Report	A presentation by Whistler Adaptive Sports Program Society reporting back on the 2014 Community Enrichment Program grant.
Community Enrichment Program Report	A presentation by Whistler Off Road Cycling Association (WORCA) reporting back on the 2014 Community Enrichment Program grant.
Community Enrichment Program Report	A presentation by Sea to Sky Community Services Society reporting back on the 2014 Community Enrichment Program grant.

MAYOR'S REPORT

INFORMATION REPORTS

Third Quarter Financial Report - 2014 Report No. 15-002 File No. 4527	**That** Council receive Information Report No. 15-002 Quarterly Financial Report for the nine months ended September 30, 2014.

ADMINISTRATIVE REPORTS

LLR 1206 – Savage Beagle Permanent Change to Hours of Sale Report No. 15-008 File No. LLR 1206	**That** Council authorize the resolution attached as Appendix "A" to Administrative Report No. 15-008 providing Council's recommendation to the Liquor Control and Licensing Branch in support of an application from the Savage Beagle located at 4222 Village Square for a Permanent Change to Licensed Hours of Sale for Liquor Primary Licence No. 162781, to change hours of sale to 9 a.m. to 1 a.m. Monday through Sunday.
LLR 128 – Listel Hotel Extension of Hours for February 12 Special Event Report No. 15-007 File No. LLR 128	**That** Council authorize hours of liquor sale to 4 a.m. on the night of Thursday, February 12, 2015 at the Bearfoot Bistro in the Listel Whistler Hotel for a Special Occasion Licence for the Revolutions with Paul Oakenfold event.
DVP 1088 – 2320 Gondola Way – Height Variance Report No. 15-016 File No. DVP 1088	**That** Council not approve Development Variance Permit DVP 1088 to vary the maximum permitted height of the dwelling at 2320 Gondola Way from 7.6 metres to 10.01 metres as illustrated on the Architectural Plans A-001, A-101, A-102, A-103, A-104, A-201, A-202, A-203, A-204, prepared by Scott Densmore, dated December 1, 2014, and attached as Appendix "B" to Administrative Report No. 15-016.
DVP 1089 – 8160 Crazy Canuck Drive – Parking Setback Variance Report No. 15-004 File No. DVP 1089	**That** Council approve Development Variance Permit 1089 to vary the parking setback from 1.5 metres to 0 metres from the parcel boundary as shown on the site plan prepared by Tia Tait, date stamped received September 2, 2014 and attached to Administrative Report 15-004 as Appendix B.
DVP 1093 – 4280 Mountain Square – Longhorn Sign Variances Report No. 15-005 File No. DVP 1093	**That** Council approve Development Variance Permit DVP 1093 for two proposed signs for the Longhorn, located at 4280 Mountain Square to: 1. Install a third fascia sign for the Longhorn on the south frontage of the building; and 2. Install a projecting sign for the Longhorn on the east elevation of the building as shown on the Sign Drawings prepared by 3DS/Three Dimensional Services Inc., dated Sept. 29, 2014 attached as Appendix "B" to Administrative Report No. 15-005.
DVP 1094 – 3804 Sunridge Place – Front Setback variance Report No. 15-006 File No. DVP 1094	**That** Council approve Development Variance Permit 1094 to vary the front setback from 7.6 metres to 5 meters for the existing basement space of the detached dwelling as shown on the Basement Media Plan, Sheet A1.02, dated October 22, 2014 and attached to Administrative Report No. 15-006 as Appendix B.

7115 Nesters Road – Rezoning Proposal to Regularize Existing Pension Use Report No. 15-010 File No. RZ1091	**That** Council endorse further review of Rezoning Application No. 1091; and further, **That** Council direct staff to prepare the necessary zoning amendment bylaw for Council consideration.
Zoning Amendments - Development Permit Exemptions Report No. 15-011 File No. RZ 1101	**That** Council consider giving first and second readings to Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014; and further, **That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014.
Blueberry Hill Land Use Contract Amendment to the Gross Floor Area Definition Report No. 15-009 File No. RZ1083, RZ1086, RZ1087, RZ1089, RZ1092, RZ1093, Bylaw 2062	**That** Council consider adoption of Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014.
New Building Canada Fund – 2015 Intake Report No. 15-017 File No. 155.7	**That** Council direct staff to submit an application under New Building Canada Fund – Small Communities Fund for funding assistance for the Compost Facility Capacity Improvements (Project E063) as set out in the Five-Year Financial Plan.
Cheakamus Leasing Corp. – 2014 Annual Filing Report No. 15-012 File No. Vault	**That** Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Cheakamus Leasing Corp; pass the consent resolutions of the sole shareholder of Cheakamus Leasing Corp; a copy of which is attached to Administrative Report No. 15-012 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.
Emerald Dreams Conservation Co. Ltd. – 2014 Annual Report Report No. 15-013 File No. Vault	**That** the Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Emerald Dreams Conservation Co. Ltd; pass the consent resolutions of the sole shareholder of Emerald Dreams Conservation Co. Ltd; a copy of which is attached to Administrative Report 15-013, and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.
Whistler 2020 Development Corp. – 2014 Annual Report Report No. 15-014 File No. Vault	**That** Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole Shareholder of Whistler 2020 Development Corp., pass the consent resolutions of the Shareholder of the Whistler 2020 Development Corp., a copy of which is attached to Administrative Report No. 15-014 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.

Whistler Village Land Co. Ltd. – 2014 Annual Report Report No. 15-015 File No. Vault	**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 consent resolutions of the shareholder of the Whistler Village Land Co. Ltd., a copy of which is attached to Administrative Report No 15-015 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.
RMOW Appointments to the Whistler Valley Housing Society Report No. 15-001 File No. 7724	**That** Council of the Resort Municipality of Whistler (RMOW), appoint Jonathan Decaigny, Cheryl Skribe, Gord Low and Marla Zucht as the four RMOW appointees to the Whistler Valley Housing Society (WVHS).

MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee	Minutes of the Public Art Committee meeting of October 1, 2014.

BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014	The purpose of Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014 is to exempt single family and duplex developments from the requirement to obtain development permits except for riparian areas and in the Residential Infill One (RI1) Zone.

BYLAWS FOR THIRD READING

Zoning Amendment Bylaw (CC1 Zone – Clock Tower Hotel), No. 2070, 2014	In general terms, the purpose of the proposed Bylaw is to amend the density provisions of the CC1 zone regarding permitted Gross Floor Area for the Clocktower Hotel parcel from 1,179 square metres to 1,196 square metres, to accommodate a proposed addition of 16.84 square metres of retail space.
Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014	In general terms, the purpose Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014 is to rezone the subject lands to change the permitted location for retail liquor sales in respct of Unit 1-4573 Chateau Boulevard.

BYLAWS FOR ADOPTION

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014	The purpose of Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 is to amend the existing Blueberry Hill Land Use Contract's gross floor area definition for the specified properties and to replace the existing gross floor area definition in the Land Use Contract with the definition in Zoning Bylaw No. 303 with its' excluded floor areas with respect to basements, crawlspaces and void spaces.

CORRESPONDENCE

Christmas Lights File No. 3009	Correspondence from Yvonne Goller, dated January 4, 2015, requesting Christmas lights be left up in the village until the end of January.
Cheakamus Crossing Heating File No.	Correspondence from Erica Finnsson, dated January 4, 2015, regarding the DES heating system in Cheakamus Crorssing.
Mountain FM Programming File No. 3009	Correspondence from John Wood, dated January 6, 2015, regarding Mountain FM programming during traffic issues in the Sea to Sky corridor.
UBCM Convention Bid File No. 3009	Correspondence from Sav Dhaliwal, Union of BC Municipalities (UBCM) President, dated December 8, 2014, regarding awarding the 2016 UBCM Convention to the City of Victoria and the 2018 UBCM Convention to the Resort Municipality of Whistler.
Blue Dot Movement File No. 3009	Correspondence from Claire Ruddy, AWARE Executive Director, dated December 10, 2014, requesting that the development of a declaration of environmental rights for Whistler be referred to staff, and requesting to work with staff to revisit W2020 to involve the wider community in sustainability actions.
Concrete Medians on Highway 99 at Lions Bay File No. 3009	Correspondence from David Tompinks, dated December 29, 2014, requesting support on his proposal to the Minister of Transportation and Infrastructure and Regional Director requesting a concrete median barriers on Highway 99 through Lions Bay.
Proposed Site C Dam Project File No. 3009	Correspondence from Gwen Johansson, Mayor of the District of Hudson's Hope, dated December 2, 2014, regarding the proposed Site C Dam Project and requesting a resolution to support a one year moratorium and BC Utilities Commission's consideration of less expensive alternatives to Site C.
Waste Energy Solution File No. 3009	Correspondence from Jacqueline Young, Director of Millenium Financial Exchange Corp., dated November 5, 2014, regarding a proposed waste energy solution and requesting a meeting.
Fortis BC Permit to Drill Boreholes File No. 3009	Correspondence from Mona Helcermanas-Benge, dated January 2, 2015, regarding correspondence to the District of Squamish requesting postponement of the decision regarding a permit for Fortis BC to drill boreholes and expressing concern for the Howe Sound area.
Federation of Canadian Municipalities Membership File No. 3009	Correspondence from Brad Woodside, Federation of Canadian Municipalities (FCM) President, dated December 8, 2014, requesting renewal of membership with the Federation of Canadian Municipalities for 2015-2016.

Pride Week
File No. 3009.1

Correspondence from Dean Nelson, CEO and Executive Producer of Alpenglow Productions, dated December 11, 2014, requesting proclamation of “Pride Week” from January 24, 2015 to February 1, 2015.

ADJOURNMENT

WHISTLER

MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, DECEMBER 16, 2014, 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
General Manager of Infrastructure Services, J. Paul
General Manager of Resort Experience, J. Jansen
Director of Planning, M. Kirkegaard
Corporate Officer, S. Story
Manager of Communications, M. Comeau
Manager of Development Services, J. Ertel
Senior Planner, M. Laidlaw
Planner, F. Savage
Planner, A. Antonelli
Planning Analyst, K. Creery
Planning Analyst, B. McCrady
Recording Secretary, A. Winkle

ADOPTION OF AGENDA

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

That Council adopt of the Regular Council agenda of December 16, 2014.

CARRIED

ADOPTION OF MINUTES

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

That Council adopt the Committee of the Whole and Regular Council minutes of November 4, 2014 and the Inaugural meeting minutes of December 2, 2014.

CARRIED

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PUBLIC QUESTION AND ANSWER PERIOD

Stan Kranjc, 6199 Eagle Drive:

- asked that Council express their views publically on the proposed cell phone tower;
- asked that the land use authority keep the dialogue open throughout the process and that the public be able to continue to ask questions and receive answers from them;
- asked if an increase in the $750 municipal filing fee could be explored;
- asked if the municipality would provide a budget to the land use authority to do an independent analysis of RF frequency relative merits in the current tower location and alternate sites;
- asked if the municipality would consider legal avenues, and sited action taken by Chateauguay, Quebec; and,
- asked if a public meeting would be considered to share the analysis, interaction and history of the last six months so the members of the community can be better informed on the municipality's position.

Mayor Wilhelm-Morden responded that currently there is a protocol for how to deal with cell tower applications, which is ultimately an application to Industry Canada for approval and not an application to the municipality. The municipality comments along the way. Council can comment now, or after all the community members have commented and SBA has responded. Commenting is up to each member of Council individually. Mayor Wilhelm-Morden stated that she is opposed to this, and that from a guest experience perspective they couldn't have chosen a worse site with two possible exceptions.

Mayor Wilhelm-Morden commented that municipal planning staff will keep the dialogue open. The protocol is that all of the comments go to SBA, who responds, and it all comes to Council with a report from staff.

J. Jansen, General Manager of Resort Experience, responded that the application fees are in line with other application fees and processes that are managed by the planning department.

Mayor Wilhelm-Morden commented that it is a possibility that the municipality could do independent research regarding radio wave issues and looking for other potential sites.

Mayor Wilhelm-Morden commented that, keeping in mind that Quebec is governed under a different legal system, her understanding is that there are no legal avenues available to the municipality but if there were they would potentially consider them.

Mayor Wilhelm-Morden responded that the federally-governed process to respond to SBA has been extended to January 26, 2015 so there is time to get feedback to the proponent in writing. Most of Council were at the meeting last week. She encouraged the community to share their opinions with the

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applicant, Industry Canada and MP John Weston who is currently campaigning for the upcoming election.

Mr. Kranjc requested for access to the municipality's mailing list that was used to send out the notices by SBA to residents within 400 meters of the proposed tower to send information to affected residents.

S. Story, Corporate Officer, stated that legislation is clear that the tax roll can only be used for specific purposes. He would not be able to have access to the tax roll. Mayor Wilhelm-Morden suggested that he used social media and newspapers to reach the community at large.

MAYOR'S REPORT

Mayor Wilhelm-Morden reported that earlier today in the Closed Council Meeting the following individuals were appointed to the Library Board for a two-year term:

- Joe Baker
- Victoria Crompton
- Sharon Schrul
- Louise Tomcheck
- Rod Tindall, who is returning for this term

Mayor Wilhelm-Morden thanked them for volunteering, and commented that volunteerism is important for making this community a better place to live.

She congratulated and recognized the commitment of the outgoing board members:

- Gordon Annand
- Nancy Campbell
- Margaret Clare
- Ralph Forsyth

Mayor Wilhelm-Morden congratulated Councillor J. Crompton on being elected the Chair of the Squamish-Lillooet Regional District (SLRD).

Mayor Wilhelm-Morden reported that following the inaugural Council Meeting the first week of December, Council and staff had a one day session that consisted of a briefing of administrative and procedural matters related to the governance of a municipality. She reported that Wednesday and Thursday they would be holding a two-day retreat at the Brew Creek Centre to focus on substantive matters such as department background briefing information, key projects, and focuses for the upcoming year. The outcome of the two days will help form the updated 2015 Corporate Plan, look at individual and group priorities for the year and the remainder of the term. Following the retreat, work will begin to update the Corporate Plan and planning for the budget.

Mayor Wilhelm-Morden reported that Whistler has been successful in its bid to host the UBCM annual conference again in 2018. She thanked staff at the Resort Municipality of Whistler and Tourism Whistler. Whistler hosted the UBCM conference this year.

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Mayor Wilhelm-Morden reported that the deadline to provide comments for cell tower application has been extended from December 24, 2014, to January 26, 2015. An open house for a proposed 35-metre cell tower application for 7196 Lorimer Road took place on Wednesday, December 10 and about 75 people were in attendance.
Please visit whistler.ca/antennapolicy for information about this cell tower application and how you can share your comments or concerns. It is important that all comments are submitted in writing. She encouraged people to let SBA, Industry Canada and John Weston know their views.

Mayor Wilhelm-Morden reported that skating at the Plaza opened on Saturday, and she was joined by Jordan Study, MLA West Vancouver — Sea to Sky, and some young Whistler skaters and hockey players to open the skating rink. The ice surface was in good condition despite the mild temperature. The average daily attendance last winter was more than 500 skaters, and there were 24,000 rental skates over the three and a half months that the facility was open. Skating is free of charge with skate rentals for $5. Skating is available from 11 a.m. to 9 p.m. daily with two closures for ice cleaning. Santa will stop by for an ice skate on Sunday December 21 from 3 to 5 p.m. For more information about the facility, visit whistler.ca/skating.

Mayor Wilhelm-Morden reported that the municipality's Festival, Events and Animation programming has a busy schedule planned for the holiday season. Child-friendly programming will be available at the Whistler Holiday Experience in the Whistler Conference Centre from December 19 until January 4, excluding December 25 and 31. New Year's Eve will also have a variety of family-friendly activities building on the momentum of successful programming in that past couple of years. Events start at 6 p.m. at Millennium Place, the Whistler Conference Centre, Whistler Olympic Plaza, and Skier's Plaza. Family Après will be at Whistler Olympic Plaza from 4:30 to 6:30 p.m. on Mondays and Wednesdays from December 22 throughout the winter. The après includes outdoor activities and entertainment and was a very popular addition to our programming last year. Depending on the weather conditions, the Fire and Ice Show at the base of Whistler Mountain on Sunday evenings. There will also be regular animation in the Village throughout the winter.

Mayor Wilhelm-Morden reported that Whistler transit service will be increased over the holiday season. Transit will be free on New Year's Eve from 6 p.m. to 4 a.m. Additional service will also be added after midnight on New Year's Eve.

Mayor Wilhelm-Morden reported that Meadow Park Sports Centre and Municipal Hall will have altered hours over the holiday season. Please visit whistler.ca/recreation for more information on Meadow Park Sports Centre.

Municipal Hall will be closed for the statutory holidays on:

- Thursday, December 25,
- Friday, December 26, and
- Thursday, January 1

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Municipal Hall will be open for a half day until noon on:

- Wednesday, December 24, and
- Wednesday, December 31

Meadow Park Sports Centre will be open from 6 a.m. to 4 p.m. on:

- Wednesday, December 24
- Wednesday, December 31

Meadow Park Sports Centre will be open from noon to 4 p.m.

- Thursday, December 25
- Thursday, January 1

Meadow Park Sports Centre will be open from 9 a.m. to 10 p.m. on Friday, December 26.

Mayor Wilhelm-Morden did a brief review of the work done this year. She commented on another year of zero per cent property taxes increases and having recently earned the Tax Payers Nice List top mention by the Canadian Taxpayer's Federation. She commented on the implementation of the recommendations from the four big plans, the busiest summer on record, in part due to the very successful FE&A program, hosting the UBCM conference, and having completed a relatively uneventful municipal election. She commented on looking forward to getting to work in the months ahead.

Mayor Wilhelm-Morden wished the community and visitors a very happy holiday season.

INFORMATION REPORTS

2014 Resort Municipality of Whistler Election Results
Report No. 14-036
File No. 3007.7

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

That Information Report No. 14-136 regarding the 2014 Resort Municipality of Whistler Election Results be received.

CARRIED

ADMINISTRATIVE REPORTS

RZ 1097 – Unit 1 – 4573 Chateau Boulevard – Rezoning for Blackcomb Liquor Store Expansion
Report No. 14-043
File No. RZ 1097

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

That Council consider giving first and second readings to "Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014"; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014 and to advertise for same in the local newspapers.

CARRIED

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At 6:00 p.m. a public hearing was held for Zoning Amendment Bylaw (RM69 Zone – Residential Multiple Sixty-Nine) No. 2066, 2014.

At 6:04 p.m. the meeting resumed.

LLR 1203 - Fitzsimmons Pub Relocation And Capacity Increase
Report No. 14-041
File No. LLR 1203

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

That Council pass the resolution attached as Appendix "A" to Administrative Report No. 14-041 providing Council's recommendation to the Liquor Control and Licensing Branch regarding an Application from the Fitzsimmons Pub for a Structural Change to Liquor Primary Licence No. 147386 to relocate the establishment from Unit #1A of Strata Lot 102 to Unit #3 of Strata Lot 101 both within the Glacier Lodge and to increase the occupant load from 20 persons to 42 persons.

CARRIED

LLR 1208 - Listel Hotel (Bearfoot Bistro) Ice Room Expansion
Report No. 14-042
File No. LLR 1208

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

That Council pass the resolution attached as Appendix "A" to Administrative Report No. 14-042 providing Council's recommendation to the Liquor Control and Licensing Branch regarding an Application from the Listel Whistler Hotel (Bearfoot Bistro) for a Structural Change to Liquor Primary Licence No. 115993 to expand the Champagne Lounge area Vodka Ice Room with no increase in occupant load.

CARRIED

LLR 128 - Conference Centre Extension of Hours for Whistler Pride and Ski Festival Event
Report No. 14-040
File No. LLR 128

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

That Council authorize hours of liquor sale to 4 a.m. on the night of Saturday, January 31, 2015 at the Whistler Conference Centre for a special Whistler Pride and Ski Festival event.

CARRIED

RZ 1096 – 4341 Village Lane – Clocktower Hotel Rezoning
Report No. 14-045
File No. RZ 1069, Bylaw 2070

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

That Council consider giving first and second readings to 'Zoning Amendment Bylaw (CC1 Zone – Clocktower Hotel), No. 2070, 2014';

That Council authorize the Mayor and Corporate Officer to schedule a public hearing for 'Zoning Amendment Bylaw CC1 Zone – Clocktower Hotel), No. 2070, 2014', and to advertise for same in the local newspaper; and further

That Council direct staff to advise the applicant that before consideration of adoption of 'Zoning Amendment Bylaw (CC1 Zone – Clocktower Hotel), No. 2070, 2014', the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

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a) Owner commitment to undertaking the improvements as generally shown on the architectural drawings A0.0, 1.0, 1.1, 3.0, 3.1, prepared by Urban Design Group Architects Ltd., dated re-issued November, 27, 2014, as presented in Appendix "A", with final design details to be addressed through Development Permit approval; and
b) Registration of an encroachment agreement on title of the subject property regulating proposed development encroaching on adjacent lands owned by the Resort Municipality of Whistler.

CARRIED

DP 1386 - 4365 Northlands Boulevard – Twin Peaks Renovation
Report No. 14-038
File No. DP1386

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

That Council approve Development Permit 1386 for exterior building renovations for the Twin Peaks Resort property as shown on the architectural plans prepared by DVAD Inc., dated December 3, 2014, and attached as Appendix B to Report No. 14-038, subject to the resolution of the following item to the satisfaction of the General Manager of Resort Experience:

1. Specification of the plant variety and plant size for the cedar hedge; and
2. Adherence to the Whistler Village Construction Management Strategy.

CARRIED

DVP 1091 - 3510 Falcon Crescent – Frontage Variance
Report No. 14-039
File No. DVP 1091

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

That Council authorize staff to issue Development Variance Permit DVP 1091 to vary the minimum required frontage from 24 metres to 12 metres, for a proposed dwelling located at 3510 Falcon Crescent, as shown on the Site Plan prepared by FWC Architecture and Urban Design Inc. attached as Appendix "B" to Administrative Report No. 14-039.

CARRIED

RZ 1084 - Zoning Amendment Bylaw (RTA17 - 4150 Tantalus Drive). No. 2064, 2014
Report No. 14-044
File No. RZ 1084, Bylaw 2064

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

That Council consider adoption of Zoning Amendment Bylaw (RTA17 Zone – 4150 Tantalus Drive) No. 2064, 2014.

CARRIED

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Strata Title Conversion Subdivision for 2257/2259 Olive Terrace
Report No. 14-037
File No. SA.04-2

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

That Council approve a Strata Title Conversion Subdivision of an existing residential duplex located at 2257/2259 Olive Terrace;

That Council authorize the Mayor and Corporate Officer of Whistler to execute all subdivision documents on their behalf; and further,

That the conversion approval be valid for one (1) calendar year.

CARRIED

Covenant Modification 0020 – 4325 Sunrise Alley – Whistlerview Accommodation Redevelopment
Report No. 14-046
File No. CM0020

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

That Council approve the proposed redevelopment of the accommodation units located at 4325 Sunrise Alley as conceptually shown on the plans attached in Appendix "B" and described in Appendix "C" subject to:

1. Modification of Covenant H40053 to reflect the proposed development as shown conceptually in Appendix "A" and described in Appendix "B", subject to further detailed design, and prior to issuance of a building permit to authorize construction of the proposed development; and further,

That Council authorize the Mayor and Corporate Officer of Whistler to execute the Covenant Modification documents.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Measuring Up Committee

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

That minutes of the Measuring Up Committee meeting of February 5, 2014 be received.

CARRIED

Forest and Wildland Advisory Committee

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

That minutes of Forest and Wildland Advisory Committee meeting of October 8, 2014 be received.

CARRIED

Liquor Licence Advisory Committee

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

That minutes of the Liquor Licence Advisory Committee meetings of September 4, 2014 and October 16, 2014 be received.

CARRIED

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Advisory Design Panel

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

That minutes of the Advisory Design Panel meeting of October 29, 2014, 2014 be received.

CARRIED

BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014

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

That Zoning Amendment Bylaw (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014 receive first and second readings.

CARRIED

Zoning Amendment Bylaw (CC1 Zone – Clock Tower Hotel), No. 2070, 2014

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

That Zoning Amendment Bylaw (CC1 Zone – Clock Tower Hotel), No. 2070, 2014 receive first and second readings.

CARRIED

BYLAWS FOR THIRD READING

Zoning Amendment Bylaw (RM69 Zone – Residential Multiple Sixty-Nine) No. 2066, 2014

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

That Zoning Amendment Bylaw (RM69 Zone – Residential Multiple Sixty-Nine) No. 2066, 2014 receive third reading.

CARRIED

BYLAWS FOR ADOPTION

Zoning Amendment Bylaw (RTA17 Zone – 4150 Tantalus Drive) No. 2064, 2014

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

That Zoning Amendment Bylaw (RTA17 Zone – 4150 Tantalus Drive) No. 2064, 2014 be adopted.

CARRIED

Vehicle for Hire Amendment Bylaw No. 2067, 2014

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

That Vehicle for Hire Amendment Bylaw No. 2067, 2014 be adopted.

CARRIED

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OTHER BUSINESS

Acting Mayor Appointments 2015
File No. 3014.02

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

That Council appoint the following Acting Mayors for 2015:

January	Jack Crompton
February	John Grills
March	Jack Crompton
April	Andrée Janyk
May	Andrée Janyk
June	John Grills
July	Steve Anderson
August	Steve Anderson
September	Jen Ford
October	Jen Ford
November	Sue Maxwell
December	Sue Maxwell

CARRIED

CORRESPONDENCE

Flood Issues at Tapley's Farm
File No. 3009

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

That correspondence from Bonnie Munster, dated November 26, 2014, regarding concerns with flooding issues at Tapley's Farm be received and referred to staff.

CARRIED

Firesmart
File No. 4815

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

That correspondence Mike Suggett, dated November 24, 2014, regarding Firesmart be received and referred to staff.

CARRIED

DRAFT

BC Transit – Transit Future Plan
File No. 3009

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

That correspondence from Johann van Schaik, Senior Regional Transit Manager, BC Transit, dated November 7, 2014, regarding BC Transit's development of a Transit Future Plan for the Sea to Sky region be received and referred to staff.

CARRIED

BC Transit
File No. 3009

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

That correspondence from Manuel Achadinha, President and Chief Executive Officer, BC Transit, dated December, 2014, regarding information on BC Transit and offering to have a Regional Transit Manager present to Council be received.

CARRIED

Vancouver Coastal Health
File No. 3009

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

That correspondence from Kip Woodward, Chair of the Board of Directors, and Mary Ackenhusen, President and chief Executive Officer of Vancouver Coastal Health (VCH) dated December 1, 2014, offering congratulations on the results of the municipal election and advising that information will be coming to Council in the near future regarding the accomplishments and achievements of Vancouver Coastal Health in the past year and an update on their operations be received.

CARRIED

Gas Tax Agreement Community Works Fund Payment
File No. 3009

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

That correspondence from Sav Dhaliwal, President of UBCM, dated November 20, 2014, advising of the distribution of the first of two Community Works Fund payments of $225,855.15 pursuant to the Gas Tax Agreement be received.

CARRIED

PRIMECorp Annual Report
File No. 3009

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

That correspondence from David W. Guscott, Chief Executive Officer of PRIMECorp, dated November 21, 2014, regarding PRIMECorp's Annual Report be received.

CARRIED

DRAFT

Whistler Pride
File No. 3009.1

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

That correspondence from Dean Nelson, CEO and Executive Producer of Alpenglow Productions Corp, dated December 9, 2014, requesting the proclamation of Pride Week on January 24-31, 2015, and requesting information about other commitments related to the events for Whistler Pride be received and referred to staff.

CARRIED

Ugly Christmas Sweater Day
File No. 3009.1

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

That correspondence from Jordan Birch, Chief Experience Officer, Now That's Ugly Society, requesting December 19, 2014 be proclaimed Ugly Christmas Sweater Day be received and Ugly Christmas Sweater Day be proclaimed.

CARRIED

ADJOURNMENT

Moved by Councillor J. Crompton

That Council adjourn the December 16, 2014 Council meeting at 7:08 p.m.

CARRIED

Mayor N. Wilhelm-Morden

Corporate Officer: S. Story

DRAFT

WHISTLER

MINUTES

PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, DECEMBER 16, 2014 STARTING AT 6:00 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
General Manager of Infrastructure Services, J. Paul
General Manager of Resort Experience, J. Jansen
Director of Planning, M. Kirkegaard
Corporate Officer, S. Story
Manager of Communications, M. Comeau
Manager of Development Services, J. Ertel
Senior Planner, M. Laidlaw
Planner, F. Savage
Planner, A. Antonelli
Planning Analyst, B. McCrady
Recording Secretary, A. Winkle

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 (RM69 Zone – Residential Multiple Sixty-Nine) No. 2066, 2014" (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.

DRAFT

As stated in the Notice of Public Hearing, in general terms, the purpose of the proposed Bylaw is to rezone the subject lands from RM1 (Residential Multiple One) to RM69 Zone (Residential Multiple Sixty-Nine), a new site specific zone to accommodate the existing development (21 townhouse units and a caretaker's suite).

Explanation — An explanation was given by Amica Antonelli, Planner, concerning the proposed Bylaw.

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

No submissions were made by the public.

Correspondence — Shannon Story, Corporate Officer, indicated that no correspondence was received regarding the proposed Bylaw.

ADJOURNMENT

Hearing no further comments, the Public Hearing adjourned at 6:04 p.m.

Mayor N. Wilhelm-Morden

Corporate Officer: S. Story

DRAFT

WHISTLER

REPORT | INFORMATION REPORT TO COUNCIL

PRESENTED: January 13, 2015 **REPORT:** 15-002

FROM: Corporate and Community Services **FILE:** 4527

SUBJECT: THIRD QUARTER FINANCIAL REPORT - 2014

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate and Community Services be endorsed.

RECOMMENDATION

That Council receive Information Report No. 15-002 Quarterly Financial Report for the nine months ended September 30, 2014.

REFERENCES

Appendix A – Quarterly Financial Report for the nine months ended September 30, 2014.

PURPOSE

The purpose of the report is to provide council with a comparison of the annual budget amounts with year to date actual revenues and expenditures for operating departments and projects and, to advise Council of the investment holdings as of September 30, 2014.

DISCUSSION

Quarterly financial reporting is being prepared by the Resort Municipality of Whistler as a means to provide the community, council and the organization, with a regular overview of financial information. Quarterly financial reporting is a priority identified by council as part of its Council Action Plan priorities of fiscal responsibility and accountability.

Nine months into the 2014 fiscal year overall operating revenues are at ninety seven percent and expenditures seventy four percent of their annual budgeted amounts. This compares to eighty eight percent and seventy one percent respectively in the prior fiscal year. Actual net project expenditures are thirty seven percent of total budgeted expenditure for the year.

Investment income, including changes in market values, for the nine months ended September 30, 2014 was $1,886,302 (unaudited). This is 128% of the total budgeted investment income for the year and an overall annualized return of 3.67% on the average monthly investment balances.

Additional commentary and financial information is provided in the report attached as Appendix A.

WHISTLER 2020 ANALYSIS

W2020 **Strategy**	**TOWARD** **Descriptions of success that resolution moves us toward**	**Comments**
Finance	The long term consequences of decisions are carefully considered.	The investment strategy is compliant with the Policy and seeks to maximize investment returns while preserving principal.
Finance	Common evaluation criteria are used to assess actions.	The Policy is readily understood and complied with. Investment performance is reported and evaluated on a regular basis.
Finance	Common evaluation criteria are used to assess actions.	A financial overview is reported and evaluated on a regular basis.

OTHER POLICY CONSIDERATIONS

Council Policy A-3 Investments requires reporting of investment holdings, investment performance on an annual basis, as well as reporting deviations from policy. As of September 30, 2014, the investment portfolio was in compliance with the investment policy.

BUDGET CONSIDERATIONS

There are no direct external costs to prepare the quarterly financial report. All internal costs are accommodated within the annual operating budget of the municipality.

COMMUNITY ENGAGEMENT AND CONSULTATION

Financial information continues to be reported publicly on a regular basis.

SUMMARY

Municipal operating and project revenues and expenditures are reported with comparison to annual budget. Investment holdings and performance are reported and in compliance with the investment policy.

Respectfully submitted,

Ken Roggeman
DIRECTOR OF FINANCE
for
Norm McPhail
GENERAL MANAGER, CORPORATE AND COMMUNITY SERVICES

THIRD QUARTER FINANCIAL REPORT

FOR THE NINE MONTHS ENDED SEPTEMBER 30, 2014

The Resort Municipality of Whistler | January 13, 2015

THE PREMIER MOUNTAIN RESORT COMMUNITY
MOVING TOWARD A SUSTAINABLE FUTURE

WHISTLER

INTRODUCTION

Quarterly financial reporting is being prepared by the Resort Municipality of Whistler as a means of providing the community, council and the organization with a regular overview of financial information. Quarterly financial reporting is a priority identified by council as part of its Council Action Plan in the priority areas of fiscal responsibility and accountability.

The primary information provided in the quarterly report is a comparison of the annual budget amounts to actual revenues and expenditures for operating departments and projects. All financial information is based on preliminary, unaudited information reported from the municipal financial system as of the report date. Seasonal variations in municipal operations may affect the proportion of revenues achieved or expenditures incurred to date. This is particularly evident with projects as the project activity may not have commenced or may have incurred few actual expenditures as at the end of the reporting period.

This quarterly report provides information in five parts:

Commentary, pages 3-5
- Charts and comments

Summary of Operational Results, pages 6-7
- Summary of primary revenue categories
- Summary of expenditures by division
- Other expenditures and allocations

Operational results are revenues and expenses that the municipality normally carries out on an annual basis. Operational costs are paid for by current year revenues.

Statements of Operational Results, pages 8-15
- Revenues and expenditures by department

Statements of Net Project Expenditures, pages 16-22
- Summary of net project expenditures

Net project expenditures are project costs less funding, if any, from sources outside of the municipality. Projects are used to plan and account for transactions that do not take place every year. Examples are; construction of a bridge, infrastructure maintenance and one-time activities or events.

Investments, pages 23-24
- Investment commentary
- Summary of investment holdings and returns

Council Policy A-3 "Investments" sets out quarterly reporting requirements to Council for municipal investments. Previously prepared as a separate report, investment holdings, performance and any deviations from the policy are now consolidated into the quarterly financial report.

All amounts are presented on a non-consolidated basis which may give rise to some variations from amounts included in the actual Five-Year Financial Plan Bylaw. Non-consolidated means that subsidiary companies of the municipality (Whistler Housing Authority for example) are not included and, interdepartmental sales and purchases have not been removed. The Statements of Operational Results and, Net Project Expenditure are

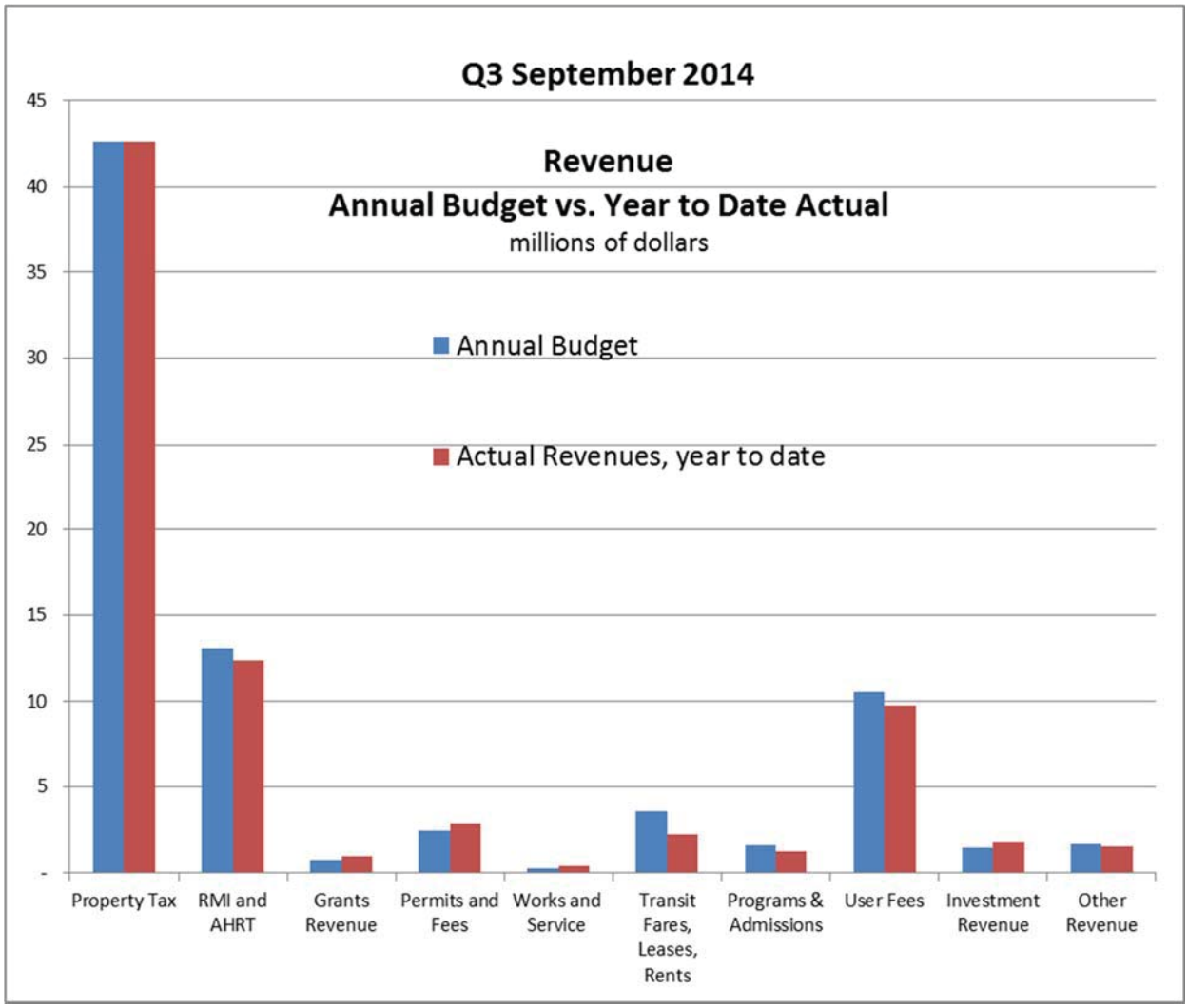
supplementary information and provide additional detail for readers. Quarterly financial reporting follows the fiscal year of the municipality which is January 1 through December 31.

Questions or comments about this report can be made by:

Email – budget@whistler.ca
Phone – 604-932-5535 (Toll free 1-866-932-5535)

COMMENTARY

Nine months into the 2014 fiscal year overall operating revenues are at ninety seven percent and expenditures seventy four percent of their annual budgeted amounts. This compares to eighty eight percent and seventy one percent respectively in the prior fiscal year. Revenues have increased by five and half million since the previous quarter. Current year revenue is nearly ten million greater than the same period last year, primarly due to earlier receipt of Resort Municipality Initiative (RMI) funding, improved investment performance, tax growth and, increased fees from the building department and pay parking.



Other seasonal variations and factors that impact the proportion of revenue achieved as of the end of the reporting period include:

Municipal and Regional District Tax (MRDT – Hotel Tax)

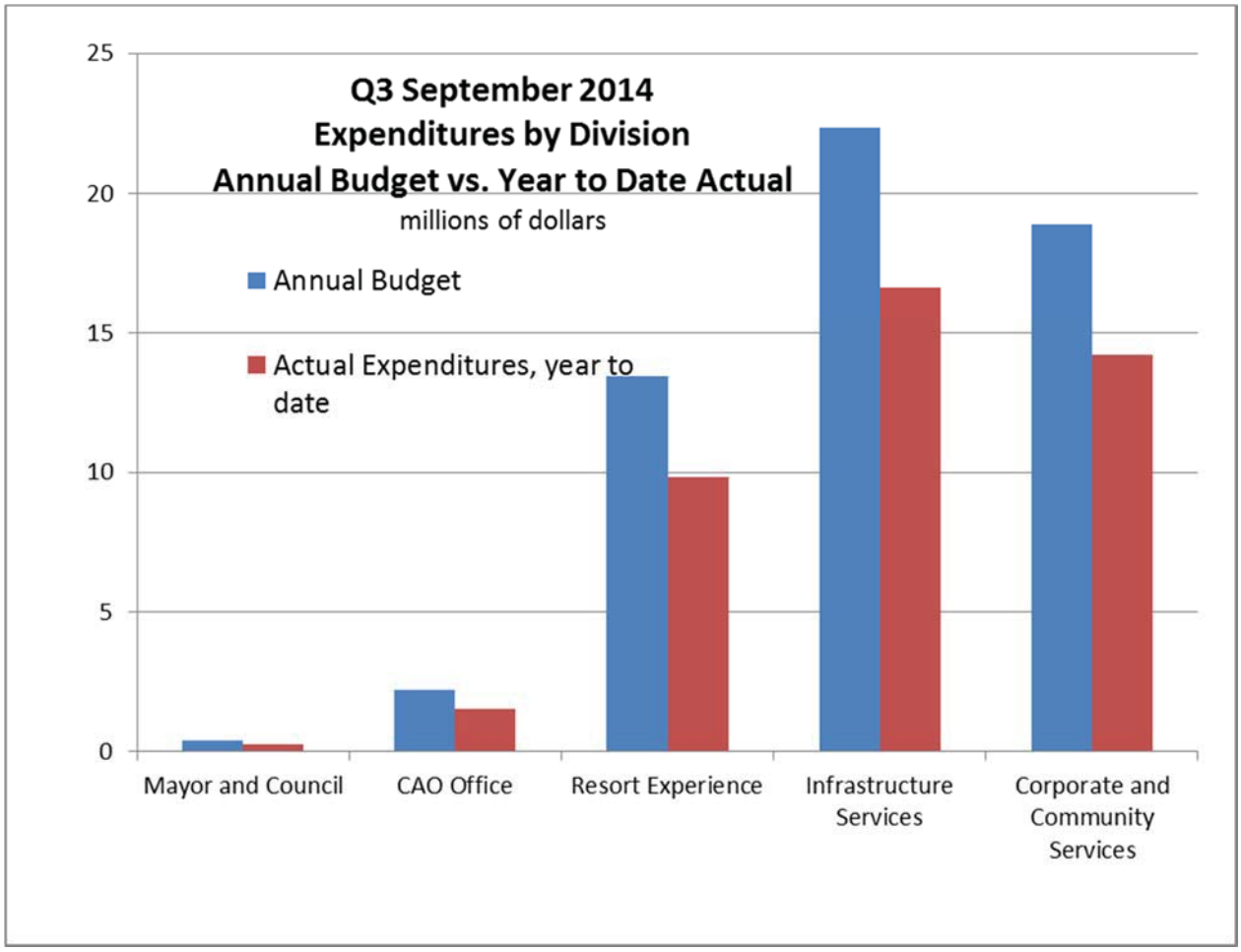
- Beginning in 2014, MRDT revenue is estimated and accrued at the end of each quarter to more accurately reflect when the revenue has been generated. Prior year reporting has not been changed to reflect this change in accounting.

Investment Revenue

- Investment revenue is more than one million greater than the same period last year. Prior year investment income was relatively low after April 2013.

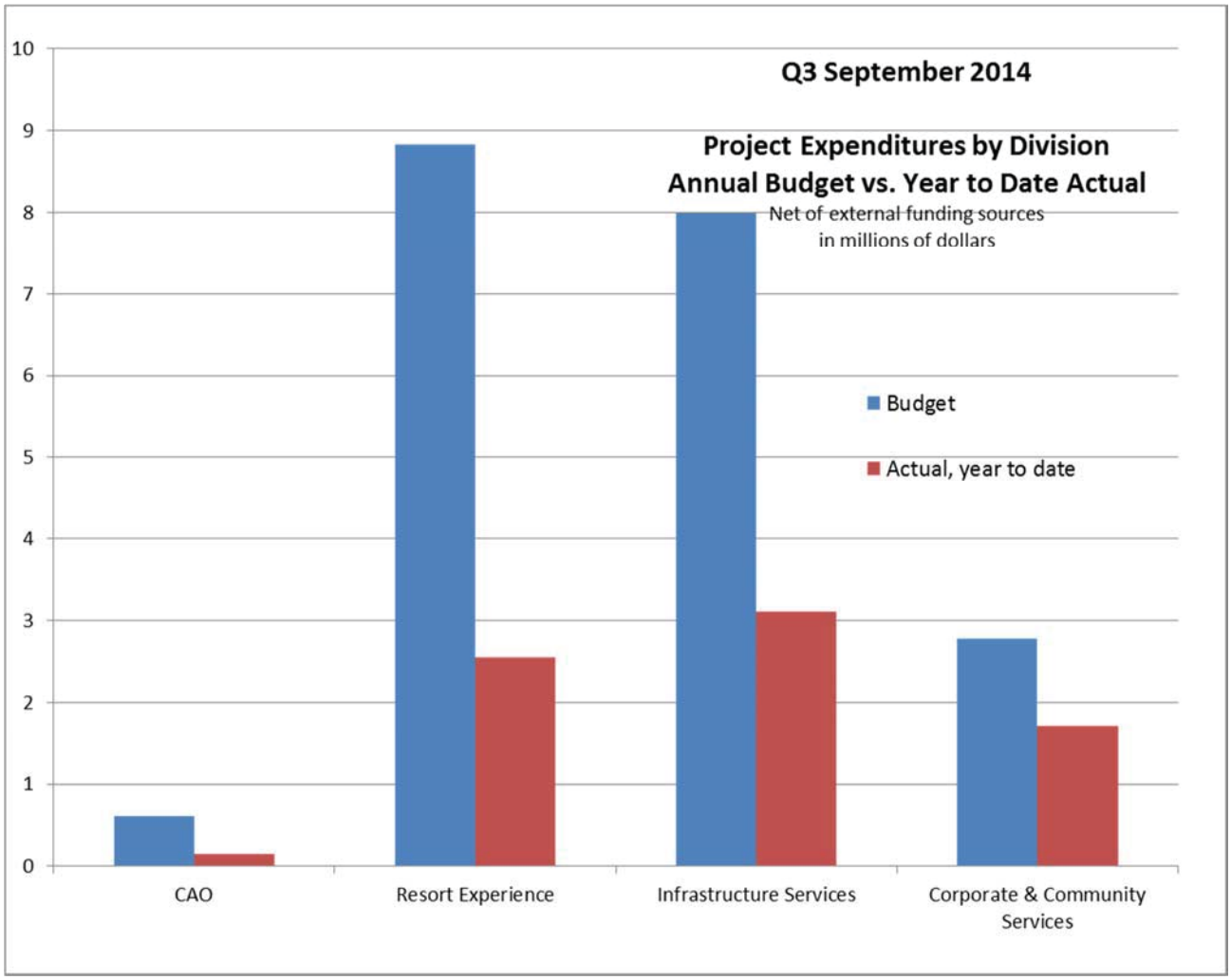
Permits and Fees

- Revenue from permits and fees have increased by six hundred and sixty thousand compared to the same period last year due to increased user volume of pay parking and Building Department services.



Total operating expenditures at the end of the second quarter are seventy four percent of annual budget compared to seventy one percent in the prior year. Operating expenditures in the third quarter were fifteen million compared to thirteen point nine million in the second quarter of the year and an increase of three point five million compared to the end of the same period in the prior year.

Operating revenues and expenditures for individual departments can be found on the Statements of Operational Results.



As of September 30, 2014, actual net project expenditures are thirty seven percent of total budgeted expenditure for the year.

A significant amount of project costs are not received until later in the fiscal year, and not all budgeted project activities will necessarily take place during the fiscal year due to unplanned or unforeseen factors. As projects are usually funded from municipal reserves, financial resources not used during the year will remain in the reserves until required and this does not directly impact the operating surplus or deficit for future fiscal planning purposes.

Net expenditures by individual project can be found on the Statements of Net Project Expenditures.

Resort Municipality of Whistler
Summary of Operational Results
For the Quarter ended September 30, 2014, (Unaudited)

	Annual Budget	Actuals YTD	% Budget Used to Date	
Revenues				
Property Tax	42,660,122	42,640,697	100%	
RMI and MRDT	13,138,318	12,395,530	94%	
Grants Revenue	790,544	966,969	122%	(7)
Permits and Fees	2,448,300	2,875,635	117%	(1)
Works and Service Revenue	278,434	403,905	145%	(8)
Transit Fares, Leases and Rent	3,585,177	2,285,875	64%	
Programs & Admissions	1,636,750	1,268,888	78%	
User Fees	10,527,948	9,778,534	93%	(3)
Investment Revenue	1,478,219	1,852,243	125%	(2)
Other Revenue	1,699,828	1,535,750	90%	
	78,243,640	76,004,027	97%	
Expenditures				
Mayor and Council	371,184	270,708	73%	
CAO Office	2,186,628	1,507,633	69%	
Resort Experience	13,425,264	9,809,310	73%	
Infrastructure Services	22,356,036	16,637,078	74%	
Corporate and Community Services	18,920,058	14,203,352	75%	
Total Division Expenses	57,259,171	42,428,081	74%	
Internal Recoveries, Expenses and Transfers To Reserves:				
Bank Charges & Interest	50,000	34,645	69%	
Corp Expense Miscellaneous	2,333,575	2,417,727	104%	(4)
Gen Ops - Contributions to/from Other Funds	6,316,753	0	0%	(5)
Gen Ops - Debt Service	637,653	515,944	81%	
Interdepartmental Allocations	2,401,511	(3,068,270)		(6)
Property Taxes - Municipal	0	(114)	0%	
Revenue Miscellaneous	0	5,309	0%	
Sewer - Debt Service	1,403,785	982,188	70%	
Sewer Ops - Contributions to/from Other Funds	2,625,460	0	0%	(5)
Solid Waste - Contributions to/from Other Funds	150,000	0	0%	(5)
Solid Waste - Debt Service	838,860	665,077	79%	
Solid Waste - Fees & Charges	5,000	4,304	86%	
Water Ops - Contributions to/from Other Funds	4,221,872	0	0%	(5)
Other Expenditures	20,984,469	1,556,809	7%	
Future Expenditures, Transfers,Reserve Contributions	0	32,019,137		
Unallocated Revenues	0	0		

See next page for notes

Notes:

(1) A significant proportion of Permit and Fee revenue has been earned during the first and second quarter due to:
- Pay parking revenue has exceeded budget amounts;
- Most business license fee revenue is accounted for in the first quarter of the fiscal year; and
- Building permit revenue has exceeded budget amounts.

(2) Investments have performed well during the first two quarters of the year and are a reflection of the turn around from the low performance experienced during the previous fiscal year.

(3) Most user fees are billed on the annual property tax notice and accounted for during the second quarter of the fiscal year.

(4) MRDT allocation to Tourism Whistler and, Community Enrichment Program (CEP) and Fee for Service costs. Greater amounts to Tourism Whistler and CEP are usually paid in the first and second quarters of the fiscal year.

(5) Planned contributions to operating and capital reserves.

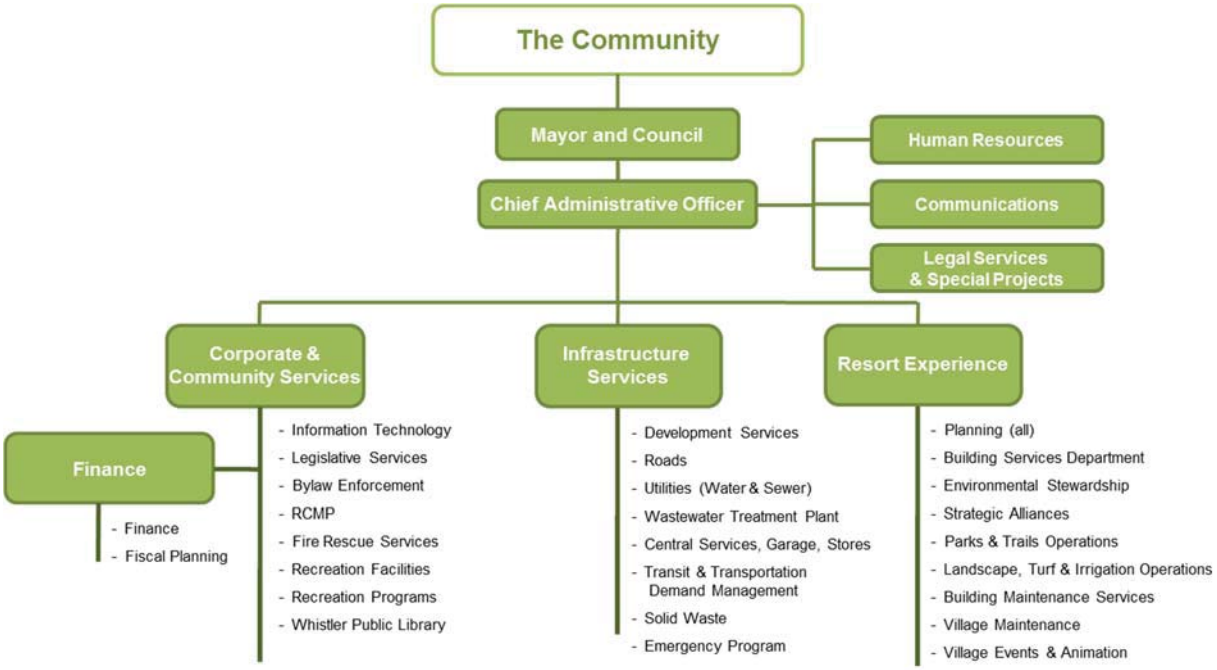
(6) A significant amount of interdepartmental costs are accounted for at year end. Mid way through the year there are more internal recoveries accounted for than costs which results in a the credit balance.

STATEMENTS OF OPERATIONAL RESULTS

Information is categorized by division and reported for each department within the division.

Revenues and expenses are reported separately for each department.

The diagram below illustrates the RMOW's organizational structure.



Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2014 (unaudited)

Division 1100 Mayor and Council	Annual Budget	Actuals YTD	% Budget Used to Date
Mayor & Council			
Expenses	371,184	270,708	73%
Total	**371,184**	**270,708**	
Mayor and Council Total	**371,184**	**270,708**	

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2014 (unaudited)

Division 1200 CAO Office	Annual Budget	Actuals YTD	% Budget Used to Date
Administrator			
Revenues	0	(120)	0%
Expenses	1,396,453	933,778	67%
Total	**1,396,453**	**933,658**	
Policy & Program Development			
Expenses	0	54	0%
Total	**0**	**54**	
Human Resources			
Revenues	0	(1,494)	0%
Expenses	790,175	573,801	73%
Total	**790,175**	**572,306**	
CAO Office Total	**2,186,628**	**1,506,018**	

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2014 (unaudited)

Division 5000 Resort Experience	Annual Budget	Actuals YTD	% Budget Used to Date	
Strategic Alliances				
Revenues	(78,241)	(5,000)	6%	(1)
Expenses	167,282	128,656	77%	
Total	**89,041**	**123,656**		
Village Events and Animation				
Revenues	(3,732,181)	(318,735)	9%	(1)
Expenses	3,783,694	2,873,892	76%	
Total	**51,513**	**2,555,157**		
Division Administration				
Revenues	(125,000)	0	0%	(1)
Expenses	442,481	258,754	58%	(3)
Total	**317,481**	**258,754**		
Park/Village Operations				
Revenues	(1,618,289)	(495,456)	31%	(2)
Expenses	6,484,870	4,640,069	72%	
Total	**4,866,581**	**4,144,613**		
Planning (ALL)				
Revenues	(60,200)	(85,581)	142%	(4)
Expenses	1,426,178	1,021,119	72%	
Development Permit Recoveries	(57,000)	(105,355)	185%	(4)
Development Permit Expenses	55,900	104,559	187%	(4)
Total	**1,364,878**	**934,742**		

.....continued on next page

Resort Experience continued……..

Environment Stewardship				
Revenues	0	(1,510)	0%	
Expenses	260,190	198,512	76%	
Total	**260,190**	**197,002**		
Building Department Services				
Revenues	(583,800)	(1,024,883)	176%	**(5)**
Expenses	804,668	583,749	73%	
Total	**220,868**	**(441,134)**		
Resort Experience Total	**7,170,553**	**7,772,791**		

Notes:

(1) Most budgeted revenue is Resort Municipality Initiative (RMI) funding that will be allocated at the end of the fiscal year.

(2) A significant amount of budgeted revenue is MRDT and RMI funding that will be allocated at the end of the fiscal year.

(3) RMI and WH2020 Monitoring expenses not yet incurred as of September 30.

(4) The Planning Department includes contributions and costs resulting from develop;ment applications. Cost of processing development applications are recovered from the applicant. Timing and amount of costs and contributions is dependent on the timing and number of development applications received.

(5) The Building Department has realized a significant amount of permit fee revenue from the Audain Art Museum and increased permit requests. Fees associated with the museum are not collected from the builder and an offsetting cost is accounted for in a project.

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2014 (unaudited)

Division 6000 Infrastructure Services	Annual Budget	Actuals YTD	% Budget Used to Date	
General Manager				
Expenses	388,612	268,055	69%	
Total	**388,612**	**268,055**		
Development Services/Engergy Mgmt				
Revenues	(8,500)	(19,879)	234%	
Expenses	662,105	460,300	70%	
Total	**653,605**	**440,421**		
Transportation				
Revenues	(14,000)	(1,691)	12%	
Expenses	2,257,412	1,592,188	71%	
Total	**2,243,412**	**1,590,497**		
Central Services				
Revenues	(2,636,496)	(1,918,662)	73%	
Expenses	2,137,657	1,579,728	74%	
Total	**(498,839)**	**(338,935)**		
Environmental Operations				
Revenues	(2,216,525)	(1,618,548)	73%	(1)
Expenses	2,216,525	1,618,550	73%	(1)
Total	**(0)**	**2**		

.....continued on next page

Infrastructure Services continued……..

Solid Waste				
Revenues	(4,750,030)	(4,130,997)	87%	(2)
Expenses	4,539,685	3,707,376	82%	
Total	**(210,345)**	**(423,621)**		
Transit				
Revenues	(3,758,820)	(1,675,799)	45%	(4)
Expenses	6,308,400	4,516,559	72%	
Total	**2,549,580**	**2,840,760**		
Water Fund				
Revenues	(6,429,394)	(6,362,536)	99%	(2)
Expenses	2,949,585	1,459,325	49%	(3)
Total	**(3,479,809)**	**(4,903,211)**		
Sewer Fund				
Revenues	(7,352,929)	(7,155,500)	97%	(2)
Expenses	4,478,260	3,028,314	68%	(3)
Total	**(2,874,669)**	**(4,127,186)**		
Infrastructure Services Total	**(1,228,452)**	**(4,653,217)**		

Notes:
(1) All expenditures of the Environmental Operations Department are allocated to the Water and Sewer Funds.
(2) All or most of these revenues are billed on the annual property tax notice in the second quarter of the fiscal year.
(3) Budgeted expenditures include administration costs allocated from the operating fund and are not accounted for until the end of the fiscal year.
(4) A greater proportion of the transit revenues are earned during the first and last quarters of the fiscal year.

Resort Municipality Of Whistler
Statement of Operational Results by Department
For the nine months ended September 30, 2014 (unaudited)

Division 7000 Corporate and Community Services	Annual Budget	Actuals YTD	% Budget Used to Date	
Finance				
Revenues	(95,500)	(57,846)	61%	
Expenses	1,694,290	1,468,101	87%	(1)
Total	**1,598,790**	**1,410,254**		
Legislative Services				
Revenues	(21,760)	(9,722)	45%	
Expenses	895,466	553,458	62%	(2)
Total	**873,706**	**543,736**		
Information Technology				
Revenues	0	(5,400)	0%	
Expenses	1,202,814	922,212	77%	
Total	**1,202,814**	**916,812**		
Bylaw				
Revenues	(1,985,800)	(1,877,975)	95%	(3)
Expenses	1,347,484	865,067	64%	
Total	**(638,316)**	**(1,012,909)**		
RCMP				
Revenues	(409,801)	(266,515)	65%	
Expenses	3,666,860	2,539,711	69%	
Total	**3,257,059**	**2,273,196**		

……continued on next page

Corporate and Community Services continued……..

Fire Rescue Service				
Revenues	(68,750)	(59,423)	86%	
Expenses	3,383,822	3,130,168	93%	**(4)**
Total	**3,315,072**	**3,070,745**		
Whistler Public Library				
Revenues	(162,700)	(142,849)	88%	
Expenses	994,510	753,633	76%	
Total	**831,810**	**610,784**		
Recreation				
Revenues	(1,072,882)	(810,660)	76%	
Expenses	1,857,319	1,348,608	73%	
Total	**784,437**	**537,949**		
Meadow Park Sports Centre				
Revenues	(1,549,000)	(1,185,936)	77%	
Expenses	3,229,746	2,451,751	76%	
Total	**1,680,746**	**1,265,815**		
Corporate and Community Services General				
Revenues	0	(750)	0%	
Expenses	273,790	170,644	62%	**(5)**
Total	**273,790**	**169,894**		
Corporate and Community Services Total	**13,179,909**	**9,786,277**		

Notes:

(1) A larger proportion of costs are incurred during the first and second quarters due to external audit and insurance expenditures. Property insurance costs have been greater than planned.

(2) Less than three quarters of the budget has been utilized due to lower than planned labour costs.

(3) Parking revenues have been more than expected and most business license fee revenue is accounted for during the first quarter of the fiscal year.

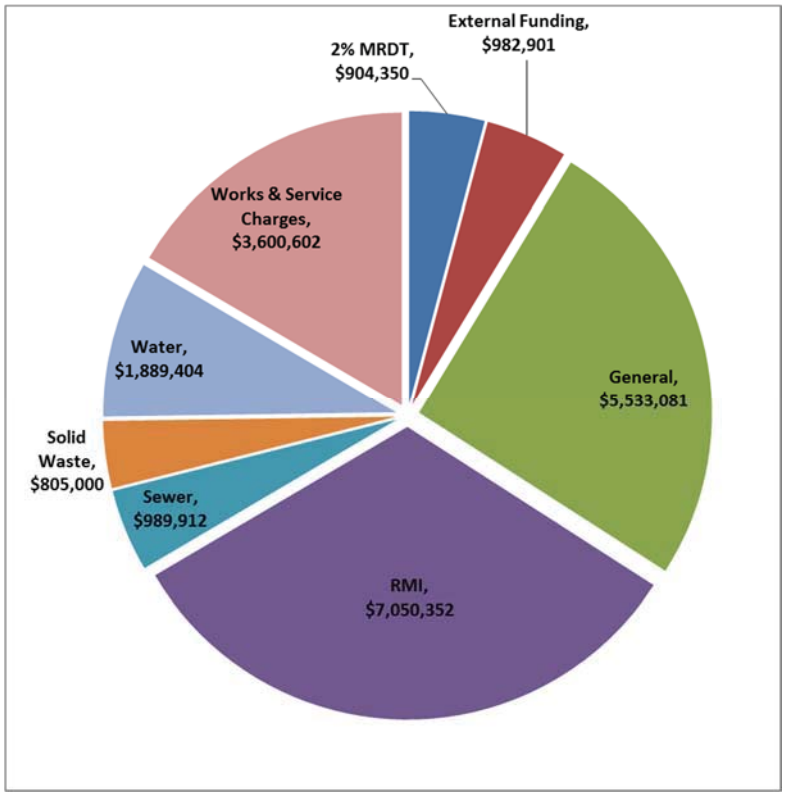
(4) Fire Rescue Service costs are greater than planned due to labour rate settlements and overtime requirements.

(5) Less than three quarters of the budget has been utilized due to lower than planned labour costs.

STATEMENTS OF NET PROJECT EXPENDITURE

Projects are used to plan and account for transactions that do not take place every year and are most often funded from municipal reserves. Projects can vary in size and carry over many years. At any given time, a division may have several projects in progress. Current policy is to allocate an annual budget to the project based on the work anticipated for the coming year.

For 2014 the budgeted amount to be funded from reserves and external sources is $21.8 million. The chart below provides a breakdown of funding sources for projects in 2014 and the amount that each will be contributing.



Projects are sorted by division and categorized as follows:

Annual Recurring Projects

Projects that are carried out on a regular, periodic basis but he type and scope of the work may change. Maintenance and reconstruction projects for example.

Continuing Projects

Projects that were planned for a prior year and will continue into the next year.

New Projects

Projects that have a start and end date within the five year financial plan and, are not an annual recurring project.

Other Projects

Projects that have been included in prior financial plans and are subject to discussion with senior levels of government.

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2014, (unaudited)

DIVISION 1200 CAO Office	Annual Budget	Actuals YTD	% Budget YTD
Annual Recurring Projects			
Collective Bargaining	36,000	0	0%
Continuing Projects			
Website	15,000	7,741	52%
Audain Art Museum	2,000	83	4%
Energy Upgrade Incentives (Res & Com)	15,000	26,018	173% (1)
Community Energy Plan Update	(20,000)	0	0%
Corporate Communications	40,000	26,340	66%
Barnfield Housing	0	8,041	0%
New Projects			
Learning, Education and Cultural Tourism Ir	150,000	599	0%
Conference Centre Expansion Study	40,000	0	0%
Spearhead Hut Project Support	150,000	0	0%
Village Gate and Taxi Loop Enhancement	25,000	33,936	136%
Whistler Welcome Strategy Update	150,000	29,531	20%
Human Resources Records Management	12,000	15,827	132%
Other Projects			
OCP Litigation	0	0	0%
CAO Office Total	**615,000**	**148,115**	

Notes:

(1) Revenue of $40,000 is planned to offset all but $15,000 of the project expenditures.

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2014, (unaudited)

DIVISION 5000 Resort Experience	Annual Budget	Actuals YTD	% Budget YTD	
Annual Recurring Projects				
Olympic Plaza Enhancements	89,500	39,939	45%	
General Improvements - Environment	21,600	17,579	81%	
Village Enhancement	150,000	139,975	93%	
Subdivision Signs	5,000	3,670	73%	
Parks Accessibility Program	25,000	24,616	98%	
Community Wildfire Protection	297,045	256,674	86%	
Bear Management Program	30,000	24,204	81%	
Valley Trail Reconstruction	110,000	110,568	101%	
Air Quality Management Plan	5,000	2,568	51%	
Annual Building Maintenance	90,000	50,313	56%	
Cheakamus Community Forest / Forestry Cc	39,000	29,730	76%	
Recreation Trail Program	50,000	41,382	83%	
Park Operations General Improvement	200,000	84,645	42%	
Ecosystem Monitoring Program	25,000	33,588	134%	
Continuing Projects				
Village Host Booth Renovation	12,000	0	0%	
Resort Municipality Initiative Projects	197,500	0	0%	
Conference Centre Improvements	285,491	8,260	3%	
Municipal Hall Rejuvenation	100,000	124,233	124%	(2)
Streetscape Guide and Regulations	4,200	438	10%	
Recreation Leisure Master Plan	10,000	1,272	13%	
Library	(250,000)	70	0%	(1)
Whistler Gateway Project	33,000	26,537	80%	
Village Square & Mall Rejuvenation	1,500,000	121,972	8%	
Valley Trail Mons RR Xing to Cypress Pl	15,000	16,789	112%	
Funicular / Inclined Elevator	12,500	0	0%	
Energy Reduction Program	0	5,378	0%	
Spruce Grove Valley Trail Bridge Removal	18,000	8,181	45%	
Universal Access Trail	0	33	0%	
Cheakamus Bridge Sea to Sky	191,811	42,504	22%	
Bayly Park (Cheakamus Crossing Park)	127,644	101,967	80%	
Rainbow Theatre Renovation	475,000	479,105	101%	
Alpine Trail Program	272,000	169,024	62%	

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Resort Experience continued……..

New Projects			
Rainbow Park Event Power Upgrade	10,000	1,195	12%
Sponsorship Policy	25,000	24,835	99%
Public Art Project	20,000	8,100	41%
Park and Trail Summer Survey	15,000	7,102	47%
Basic Toilet Service at WCSS Field	5,000	0	0%
Building Department File Scanning	139,000	216	0%
Cultural Connector	65,000	25,498	39%
REX GIS Project	15,000	0	0%
Skate Park Rejuvenation Plan	25,000	12,159	49%
Western Toad Underpass	27,900	27,893	100%
Lost Lake Park North Bridge Replacements	565,000	43,268	8%
19 Mile Creek Valley Trail Lighting	38,400	9,471	25%
Municipal Hall Continuing Improvements	80,000	27,258	34%
Blackcomb Way Valley Trail Lights	117,500	7,410	6%
Building Asset Replacement Program	150,000	9,547	6%
Emerald Valley Trail Segmented Retaining W	350,000	27,444	8%
Fire Hall 1 Parking Area Resurfacing	32,000	31,568	99%
Fitzsimmons Creek Trail Upgrades	127,000	1,064	1%
Former Hostel Site Improvements	133,200	129,868	97%
Lakeside Park Parking Area Paving	35,000	30,241	86%
Train Wreck Pedestrian Bridge	75,000	33,084	44%
WVLC Parkade Rehabilitation Program	267,250	14,723	6%
Alpha Lake Dog Park Rebuild & Upgrade	125,000	114,233	91%
Other Projects			
Visitor Amenity Hub	2,251,200	0	0%
Resort Experience Total	**8,834,741**	**2,551,391**	

Note:

(1) The second and final half of the Green Municipal Fund Grant for the energy efficient operation of the Whistler Public Library is expected to be received in 2014.

(2) Total budget for this project for the 2013 and 2014 fiscal years was $475,000. Actual project costs for the two fiscal years are $481,000.

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2014, (unaudited)

DIVISION 6000 Infrastructure Services	Annual Budget	Actuals YTD	% Budget YTD
Annual Recurring Projects			
Water Annual Reconstruction	450,000	160,803	36%
Water Loss Reduction Program	5,000	0	0%
Sewer Annual Reconstruction	200,000	39,904	20%
Reservoir Upgrades	50,000	2,677	5%
Fire Hydrant Maintenance	85,000	45,520	54%
Benchmarking Water	1,500	0	0%
Reservoir Cleaning	100,000	143	0%
Solid Waste Annual Reconstruction	400,000	128,004	32%
Groundwater Monitoring for Final Capital	26,000	0	0%
Workplace Safety-Maint. and Oversight - W/	10,000	0	0%
Annual Reconstruction - Roads	1,600,000	1,563,956	98%
Fitz Creek Gravel Removal	270,000	63,408	23%
Bridge Reconstruction Program	120,000	0	0%
Fleet Replacement	1,433,803	389,309	27%
Central Services Annual Reconstruct	30,000	0	0%
Continuing Projects			
WWTP Process - Energy Optimization	30,000	18,658	62%
WWTP Annual Reconstruction	250,000	164,331	66%
West Side Alta Lake Sewers	380,000	172,046	45%
Environmental Monitoring - Cheakamus Riv	0	25,311	0%
Zone 775 Water Infrastructure Update	200,000	38,038	19%
Source Water Protection Plan	21,904	20,071	92%
Major Water Infrastructure Renewal Prograı	936,000	27,660	3%
PLC Replacement Program	55,000	23,968	44%
Long Term Water Supply Plan Update	30,000	0	0%
Infra. Capacity Analysis-GFA Exclusions Wa	20,000	0	0%
Infra. Capacity Analysis-GFA Exclusions Sev	20,000	0	0%
Workplace Safety-Maint. and Oversight - SE	10,000	0	0%
Solid Waste Contract Development	0	0	0%
LWMP Review	50,000	0	0%
Master Sewer Plan	150,000	0	0%
Benchmarking Sewer	7,500	10,640	142%
Function or 21 Mile Supply Well	0	683	0%
Stormwater Management Plan	0	4,500	0%
Fitz Creek Debris Barrier & Sediment Basir	20,000	822	4%

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Infrastructure Services continued……..

New Projects			
Compost Facility	325,000	18,493	6%
Cross Connection Prevention Program	0	46,812	0%
WWTP Site Cross-Connection Prevention	0	5,637	0%
Emerald Well Water Quality	20,000	0	0%
Fortis Site Master Plan	20,000	0	0%
MMBC Depot Upgrades	60,000	51,684	86%
GIS Platform Change to ESRI	25,500	14,305	56%
Mapping Updates - Orthophotos and LiDAR	88,000	48,587	55%
Emergency Planning Equipment and Updates	44,000	21,700	49%
Pedestrian Crossing Light - Alta Lk Road	175,000	0	0%
Flood Plain Mapping	30,000	0	0%
Fitz Creek Freeboard Deficiency Study	20,000	0	0%
Fitz Creek Early Warning System	50,000	0	0%
Bus Shelter - Cheakamus Lake Rd at Hwy 9	80,000	1,263	2%
Bus Shelter Cheakamus Crossing - Legacy V	50,000	0	0%
Rebuild PWY Stores/Reception Area	50,000	0	0%
Infrastructure Services Total	**7,999,207**	**3,108,934**	

Resort Municipality of Whistler

Statement of Project Position

For the nine months ended September 30, 2014, (unaudited)

DIVISION 7000 Corporate and Community Services	Annual Budget	Actuals YTD	% Budget YTD
Annual Recurring Projects			
Municipal Elections	80,000	11,854	15%
Computer Systems Replacement	196,651	181,913	93%
Library Furniture and Equipment	63,000	71,824	114%
Library Collection	100,000	63,970	64%
MPSC Recreation Equipment	125,000	11,643	9%
MPSC Infrastructure Replacement	625,000	882,629	141% (1)
Recreation Accessibility Upgrades	25,000	0	0%
Recreation Services Equipment	55,000	18,685	34%
Recreation Services Infrastructure Replacen	85,000	28,933	34%
Firefighting Equipment Replacement	50,000	2,481	5%
Project Fires Record Management System	63,740	0	0%
Continuing Projects			
Financial Systems Modifications	140,300	48,230	34%
Property Appraisal for Insurance Purposes	17,000	3,400	20%
Local Infrastructure & Server Room	122,595	18,599	15%
Corporate Software	50,000	0	0%
Fiber-Optic Network Improvements	0	37,462	0%
Smoking Regulation Communication	0	0	0%
Structural Protection Units	153,200	0	0%
New Projects			
Records Management	60,650	47,922	79%
UBCM 2014 Convention	50,000	40,378	81%
Whistler Coat of Arms	6,000	640	11%
Cemetery Software	7,500	0	0%
Conference Microphone System - Council C	20,000	15,568	78%
Customer Service Strategy	170,000	23,162	14%
Reserve Policy Planning	50,000	12,580	25%
Email Replacement	80,000	78,988	99%
PS Building Space Utilization - Fire Bylaw IT	50,000	9,243	18%
Library Infrastructure & Improvements	42,873	42,001	98%
MPSC Rejuvenation Study	100,000	0	0%
Recreation Department Software Upgrades	35,000	0	0%
Strategic Planning	35,000	5,000	14%
Animal Shelter Flooring	18,000	5,096	28%
Fire Smart Neighbourhood Program	25,000	26,863	107%
Asset Inventory Audit	25,000	0	0%
Turnout Gear Decon Washer	7,500	6,783	90%
RCMP Facility Maintenance	46,600	12,905	28%
Corporate and Community Services Total	**2,780,609**	**1,708,752**	

Notes:

(1) Additional project expenditures are related the roof replacment at Meadow Park Sports Centre.
A budget amendment to increase the project cost and scope has been adopted by council and will be reflected in the next quarterly report.

INVESTMENTS

Investment holdings of the Municipality at June 30, 2014, had a market value of $110,063,209 (2013 - $83,322,193). A list of investment holdings and returns is provided below.

The Municipality holds investment balances in order to earn investment income on cash that is not currently required for operations, projects or capital purposes. Cash held for capital purposes often makes up the largest portion of the investment holdings, as it is savings accumulated over time and will not be expended until years in the future. Operating cash balances also exist, particularly in June and July when most property tax payments are received by the Municipality. Conversely investment holdings are often at their lowest in the months just prior to the property tax collection date.

Investment income, including changes in market values, for the nine months ended Sept. 30, 2014 was $1,886,302 (unaudited). This is 128% of the total budgeted investment income for the year and an overall annualized return of 3.67% on the average monthly investment balances. Future investment income however, is dependent upon the market conditions at the time. Most investment income is allocated to reserves to fund future expenditures with the remainder is allocated to operations throughout the year.

Resort Municipality of Whistler
Investment Holdings and Returns
As at September 30, 2014

		Market Value		
Holder	Fund	**30-Sep-14**	30-Sep-13	30-Sep-12
RBC Operating Account		**6,126,120**	7,590,968	7,316,362
RBC Dominion Securities	Renaissance Real Return Bond Fund	**4,584,871**	4,392,552	4,963,220
	CDN Western Bank, GIC	**-**	3,076,488	3,000,000
	VanCity, GIC, 1.85% Due 09/04/2014	**-**	1,501,977	
	ING, GIC, 2.00% Due 09/04/2015	**2,002,849**	2,002,849	
	National Bnk Of Can,2.9% Due 01/07/2019	**4,084,537**	-	
	Bank of Montreal, 2.21% Due 07/17/2017	**3,013,805**	-	
	Tangerine Bank, 2.45% Due 07/17/2018	**3,015,304**	-	
	Tangerine Bank, 2.70% Due 07/16/2019	**3,016,866**	-	
	Bank of Montreal, 2.110% Due 07/17/2017	**3,013,805**	-	
	RBC, 2.45% Due 09/24/2018	**2,501,342**	-	
	Nat'l Bank of Can, 2.70% Due 09/23/2019	**2,501,479**	-	
Mid-Term Investments	Prov BC Bond, Due 07/09/2017, YTM 2.19%	**3,101,782**	3,003,261	-
	Prov Ont Bond, Due 08/07/2017, YTM 2.28%	**2,584,689**	2,503,004	-
Municipal Finance Authority	Short term bond fund	**40,719,548**	39,436,611	33,853,164
	Intermediate fund	**2,679,400**	4,122,441	9,069,271
Blueshore Financial	Term deposits	**27,116,811**	18,060,418	24,800,000
		110,063,209	83,321,777	76,219,210

Resort Municipality of Whistler
Investment Holdings and Returns
As at September 30, 2014

	RMOW Actual Returns ***			MFA Pooled Rates	
	Year-to-Date Non-annualized 9/30/2014	YTD Actual Annualized % 9/30/2014	1 year actual Annualized % Dec 31/13	Year-to-Date Non-annualized 9/30/2014	3 Years Annualized %
MFA Intermediate Fund	**0.96**	**1.28**	**1.44**	**0.97**	**1.40**
FTSE TMX Canada 365 -Day T-Bill Index	*0.58*	*1.16*		*0.58*	*0.85*
MFA Bond Fund	**2.21**	**2.95**	**1.70**	**2.24**	**3.00**
FTSE TMX Canada Short Term Overall Bond Index	*1.97*	*3.94*		*1.97*	*2.70*
Renaissance Real Return Bond Fund	**6.82**	**13.76**	**-12.36**		
Prov of BC Bonds	**2.45**	**3.27**	**2.21**		
Prov Of Ont Bonds	**2.52**	**3.37**	**2.30**		
CDN Wstrn 2YR Term Deposits	**1.07**	**2.15**	**2.15**		
Vancity 1yr GIC	**1.25**	**1.85**	**1.85**		
Tangerine 2 yr GIC	**1.50**	**2.00**	**2.00**		
Nat'l Bank of Can 5yr GIC	**2.11**	**2.90**	**NA**		
Bank of Montreal 5yr GIC	**0.46**	**2.21**	**NA**		
Tangerine 4yr GIC	**0.51**	**2.45**	**NA**		
Tangerine 5yr GIC	**0.56**	**2.70**	**NA**		
Bank of Montreal 2yr GIC	**0.05**	**2.11**	**NA**		
Royal Bank 4yr GIC	**0.05**	**2.45**	**NA**		
Nat'l Bank of Can 5yr GIC	**0.06**	**2.70**	**NA**		
Blueshore ST Deposits	**1.37**	**1.87**	**1.54**		
RBC Operating Account	**0.93**	**1.24**	**1.25**		

* All results/indices presented after net fees of 20 basis points (Bond, & Intermediate Funds) and 15 basis points (Money Market Fund) have been applied.

** Represents custom benchmark: changed from FTSE TMX Canada 91-day T-Bill Index to FTSE TMX Canada 30-day T-Bill Index effective January 1, 2013

*** Actual returns of RMOW varies from the pooled results depending on the timing of investment purchases and sales.

FTSE TMX formerly DEX™ = Derivatives Canada – Canadian Derivatives Exchange, renamed as of January 2014 to reflect the merger between the FTSE Group and TMX Group

Pooled investment results are provided by MFA and prepared by Phillips, Hager & North Investment Management Ltd.

Investment returns includes interest, capital gains and mark to market changes.

THE RESORT MUNICIPALITY OF WHISTLER

Host Mountain Resort
2010 Olympic and Paralympic
Winter Games

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WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 13, 2015 **REPORT:** 15-008

FROM: Resort Experience **FILE:** LLR 1206

SUBJECT: LLR 1206 – SAVAGE BEAGLE PERMANENT CHANGE TO HOURS OF SALE

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize the resolution attached as Appendix "A" to Administrative Report No. 15-008 providing Council's recommendation to the Liquor Control and Licensing Branch in support of an application from the Savage Beagle located at 4222 Village Square for a Permanent Change to Licensed Hours of Sale for Liquor Primary Licence No. 162781, to change hours of sale to 9 a.m. to 1 a.m. Monday through Sunday.

REFERENCES

Applicant: Rising Tide Consultants as agents for Savage Beagle
Location: 4222 Village Square

Appendices: "A" – Council Resolution – Permanent Change to a Liquor Licence
"B" – Location Plan
"C" – Letter from Rising Tide Consultants dated October 17, 2014

PURPOSE OF REPORT

This report presents a recommendation for Council's consideration regarding an application for a permanent change to hours of sale for the Savage Beagle, a liquor primary licensed establishment. For this type of licence change the provincial Liquor Control and Licensing Branch (LCLB) requires local government comment in the form of a resolution from Council regarding the suitability of the licence change and specifically addressing considerations relating to the potential for noise, the impact on the community and the views of residents. The proposed resolution in favour of the application, including the rationale for support, is attached as Appendix "A".

DISCUSSION

Licence Change Request – Hours of Sale

The Resort Municipality of Whistler has received an application from the Savage Beagle located in the Blackcomb Lodge Building at 4222 Village Square (shown on Appendix "B") for a permanent change to hours of sale for existing liquor primary licence No. 162781. The current and requested hours of liquor sales are as follows:

	Current Hours of Sale	Requested Hours of Sale
Monday through Saturday	2 p.m. to 2 a.m.	9 a.m. to 1 a.m.
Sunday	2 p.m. to 1 a.m.	9 a.m. to 1 a.m.

The Savage Beagle operated as a nightclub for many years, but has been closed since 2013. Of the six Whistler nightclubs its total capacity of 174 persons was relatively small, and it had the distinctive feature of a licensed area at the Village Stroll level (52 persons) as well as a larger area downstairs (122 persons). All licensed areas of the other Whistler nightclubs are located entirely below the grade level of the Village Stroll.

In 2014 the Aquilini Investment Group purchased the Savage Beagle (and Araxi Restaurant). The new owner group does not intend to operate the Savage Beagle as a nightclub, and they are reviewing ways to utilize the space (see applicant letter of Appendix "C"). Their possible concepts include a lounge or wine bar on the main floor, and potentially using the entire space for special events in conjunction with Araxi. As a first step they are applying for a permanent change to hours of sale – to hours appropriate for a lounge.

It is noted that the Savage Beagle is applying to permanently eliminate their current 2 a.m. nightclub closing time. The applied for hours are 9 a.m. to 1 a.m. daily, which conforms to the municipal guidelines for a lounge or pub maintaining a fully operational kitchen and breakfast food service. When an event with liquor service is planned for prior to 11 a.m., the Araxi Restaurant kitchen would be open to provide breakfast service, as required by municipal policy.

Municipal Review Process

For this type of application Council Policy G-17 *Municipal Liquor Licensing Policy* specifies a public advertising period, a good standing review, a referral to Liquor Licence Advisory Committee (LLAC) members for comment, a staff report to Council and a Council resolution to the LCLB in a prescribed format.

A summary of the applicant's proposal was referred by e-mail to LLAC members on October 28, 2014, and members were asked to provide their comments. The comments received were positive, especially the proposed operation as a lounge or wine bar and to no longer operate as a nightclub. Particular note was made of the proposed closing time of 1 a.m., in contrast to the current 2 a.m. closing as a nightclub. No objections were raised by LLAC members who provided comment.

Current Good Standing Status

In order for the Municipality to give consideration to an application requesting a permanent change to a licence the applicant must be in "Good Standing" with respect to the compliance and enforcement history of the establishment. The application was referred to the LCLB inspector, the Whistler Detachment of the RCMP, the Whistler Fire Rescue Service and the RMOW Building and Bylaws Departments. Each was asked to provide a written list of any contraventions and their disposition for the 12-month period preceding the date of the application and any other comments considered to be relevant. There were no compliance issues identified, so the applicant is considered to be in Good Standing. (It is noted that the establishment has not operated for more than 12 months and had a different operator prior to that time. Of significance to the compliance review is that no outstanding building or fire safety code issues were identified.)

LCLB Policy and Approval Process

The maximum hours of sale allowed by the LCLB for a licensed establishment are between the hours of 9 a.m. and 4 a.m., subject to limitation by local government. The LCLB process for a permanent change to hours of sale for a liquor primary licence requires that specific conditions regarding the licence be addressed and comments be provided to the LCLB in a specifically worded

and formatted resolution from local government. The LCLB process requires that local government take into consideration the potential for noise, the impact on the community and the views of residents and asks the details of the process used by local government in determining those views. The resolution must also include a recommendation as to whether the licence amendment should be approved. The proposed resolution presented in Appendix "A" addresses all of the LCLB requirements. In summary, the proposed licensing will provide for improved customer service for both visitors and residents alike and is not expected to have any significant negative impacts on the resort community and is consistent with municipal liquor licensing policies.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again	The permanent change in hours is a first step by the new owner toward transitioning the Savage Beagle from a nightclub to a lounge and special event space. The amended hours would permit the liquor primary licensed Savage Beagle to work in conjunction with the well-established fine dining Araxi Restaurant to provide a range of innovative offerings.
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital	The applied for permanent liquor licence change would allow the Savage Beagle to take full advantage of the business opportunities available to a liquor primary establishment at this prime Whistler Village location.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Visitors and residents can readily immerse themselves in nature, free from noise and light pollution	The main concern of liquor primary licensed establishments is late night noise at dispersal time, especially when nearby accommodation units can be disturbed. If the application is approved there is expected to be a *reduction* in nighttime noise from the establishment. The Savage Beagle will no longer operate as a nightclub and the applied for 1 a.m. closing time will be one hour earlier than the previous operation of the establishment. The applied for earlier opening (9 a.m. instead of 2 p.m.) is not expected to be a noise problem for the community. The establishment is subject to the provisions of the municipal *Noise Control Bylaw No. 1660, 2004.* The Good Neighbour Agreement commits the establishment to limit noise disturbances, to close doors and windows by 10 p.m. and to comply with the Noise Control Bylaw.

Health & Social	Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness and they avoid the abusive use of substances that evidence indicates have negative effects on physical and mental health	Any expansion of hours of alcohol sales has the potential for over-service and/or excessive consumption. The Savage Beagle has signed a Good Neighbour Agreement that commits it to procedures and training to avoid potentially adverse effects of their products and services.

OTHER POLICY CONSIDERATIONS

Under policies developed and supported by the Liquor Licence Advisory Committee and in Council Policy G-17, a permanent change to hours of sale for a liquor primary licence within municipal hours of service guidelines specifies a thirty-day public comment period, a good standing review, a LLAC referral for comment, a staff report to Council and a resolution to the LCLB in the prescribed format. For this type of application Council Policy G-17 requires a referral to the LLAC for a two-week comment period, but there is no formal report to or recommendation from the committee.

Council Policy G-17 hours of liquor service guideline for pubs and lounges is "9 a.m. to 1 a.m. Monday through Sunday; service between 9 – 11 a.m. is subject to maintaining a fully operational kitchen and breakfast food service." Council Policy G-17 further states that, "Establishments that have existing hours of service that are less than the general range for the applicable category of establishments are eligible to apply for an extension of hours to the limits of the range for the category, with approval being subject to the municipal review process including consideration of the compliance and enforcement history of the establishment."

COMMUNITY ENGAGEMENT AND CONSULTATION

In conformance with municipal policy the applicant advertised the proposed permanent change to the Savage Beagle liquor primary licence in the October 30 and November 6, 2014 editions of Pique Newsmagazine, and posted a sign at the establishment (commencing October 30, 2014) in order to provide opportunity for public comment. The advertisements and sign requested that any comments be provided in writing to municipal staff on or before November 29, 2014. No comments were received.

SUMMARY

This report presents a recommendation regarding an application for a permanent change to hours of sale for the Savage Beagle. The report also provides a resolution in support of the application for Council's consideration that addresses criteria specified by the LCLB. The resolution is a result of the application of municipal policy and consultation with the community.

Respectfully submitted,

Frank Savage
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX A

General Manager,
Liquor Control and Licensing Branch

RE: Application for a Permanent Change to a Liquor Licence for Savage Beagle liquor primary licence No. 162781, to change hours of sale to 9 a.m. to 1 a.m. Monday through Sunday.

At the Council meeting held on January 13, 2015 the Council passed the following resolution with respect to the application for the above named amendment:

"Be it resolved that:

1. The Council recommends the amendment to the licence for the following reasons:
   The proposed licensing will provide for improved customer service for both visitors and residents alike and will not have any significant negative impacts on the resort community. The applicant has entered into a Good Neighbour Agreement and Noise Mitigation Plan with the Municipality.

2. The Council's comments on the prescribed considerations are as follows:

   (a) The potential for noise if the application is approved:
   If the application for liquor service from 9 a.m. to 1 a.m. daily is approved, there is not expected to be an increase in noise from the establishment. There is expected to be a *reduction* in noise from the establishment and from patrons dispersing at closing. The Savage Beagle will no longer operate as a nightclub and the applied for 1 a.m. closing time will be one hour earlier than the previous operation of the establishment. Further, the applied for earlier opening (9 a.m. instead of 2 p.m.) is not expected to be a noise problem for the community. The establishment is subject to the provisions of the municipal *Noise Control Bylaw No. 1660, 2004.* The Good Neighbour Agreement commits the establishment to limit noise disturbances, to close doors and windows by 10 p.m. and to comply with the Noise Control Bylaw.

   (b) The impact on the community if the application is approved:
   If the application is approved the impact on the community will likely, on balance, be positive by meeting the service expectations of both visitors and residents. Negative impacts on the community are not anticipated as a result of the requested change to the licence.

   (c) The views of residents:
   Council believes that residents are in favour of the application and that residents are not opposed to the application. The method used to gather the views of residents was placement of an information sign in a public location (commencing October 30, 2014) and advertisements in two consecutive editions of the weekly local newspaper, Pique Newsmagazine, commencing October 30, 2014. No comments were received. Further, the municipal Liquor Licence Advisory Committee, comprising various community representatives, provided comment on the application."

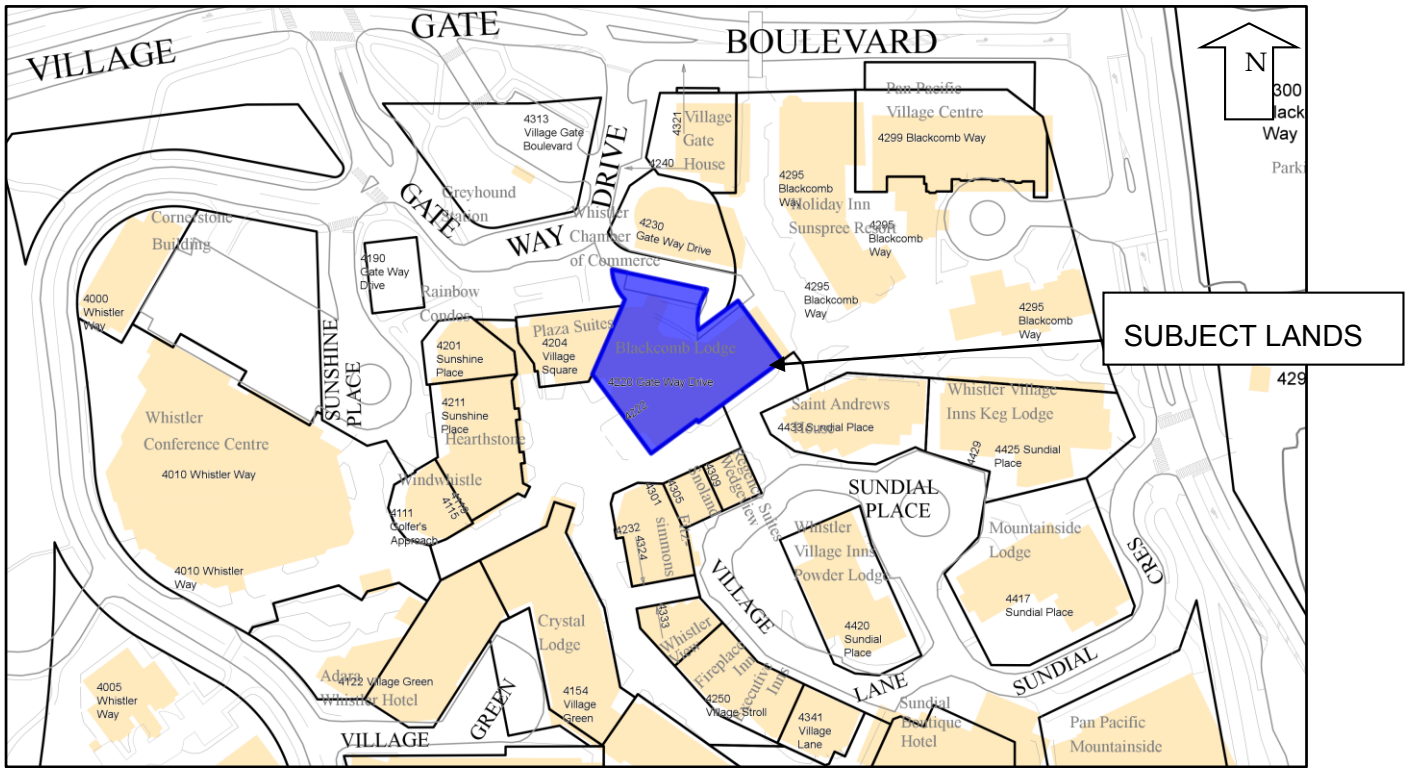
The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the Resort Municipality of Whistler on January 13, 2015.

Sincerely,

Shannon Story
CORPORATE OFFICER
Resort Municipality of Whistler

APPENDIX B

LOCATION PLAN – SAVAGE BEAGLE



RisingTide CONSULTANTS LTD
Your liquor licensing experts.

1090 - 1130 West Pender Street | Vancouver | British Columbia | V6E 4A4
604·669·2928 | 604·669·2920 fax | www.risingtideconsultants.ca

October 17, 2014

VIA COURIER

Mr. Frank Savage
Planner
Planning Services
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, B.C. VON 1B4

Dear Frank:

Re: Letter of Rationale
Application for a Permanent Change of Hours to the liquor primary license
At: Savage Beagle
4222 Village Square, Whistler, B.C. VON 1B4
Liquor Primary License Number 162781
Licensee: 0995300 B.C. Ltd

The writer is assisting the above applicant with a request to the Resort Municipality of Whistler and the Liquor Control & Licensing Branch for a permanent change of hours for this liquor primary license.

As you know the Aquilini Investment Group purchased the TopTable Restaurant Group earlier this year from Jack Evrensel. This included in Whistler Araxi's Restaurant and the Savage Beagle Night Club.

It is not our client's intention to operate the Savage Beagle as a night club. Our client is not interested in the night club business and the capacity of the Savage Beagle lends itself more to a lounge type operation than a night club. In that regard, our client is asking for the change of hours to allow the establishment to operate with more of a daytime focus in conjunction with events held at Araxi's Restaurant. Our client will also be changing the name from Savage Beagle as they want to make it clear that this will no longer be a night club operation.

Our client will also renovate the Savage Beagle space to make it a multi-purpose function room that could be used for banquets, private events such as weddings, receptions, corporate events and this can be either linked to events at Araxi's or separate events.

The permanent change of hours is the first step our client is undertaking in this exciting new project for Whistler.

Our client is currently reviewing proposals from various interior design teams with respect to the reconfiguration of the Savage Beagle Space. They would like to use the main floor area of the Savage Beagle space with appropriate hours so they can operate as a wine bar even though there might not be any booked events.

When our client has early morning pre-booked events, the kitchen in Araxi's Restaurant will be open to cater for breakfast meals, brunch and lunch for these events.

Our client will adhere to all noise mitigation measures mentioned in the Good Neighbour Agreement. With this our client has given assurances that this permanent change of hours will not result in an increase in noise. In fact, by having the earlier hours, our client's events will, in most cases be finishing earlier than when the Savage Beagle ended its evenings in its former incarnation as a night club.

The Aquilini Investment Group does not envisage any adverse impacts on the community with this change of hours. Indeed, it will have very positive impacts and benefits and offer another positive hospitality experience to Whistler.

Do not hesitate to contact me if you require further information.

Thanks kindly for your assistance, Frank.

Yours truly,

RISING TIDE CONSULTANTS LTD.

Susan Mander

Susan Mander

Licensing Specialist

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-007
FROM:	Resort Experience	**FILE:**	LLR 128
SUBJECT:	LLR 128 – LISTEL HOTEL EXTENSION OF HOURS FOR FEBRUARY 12 SPECIAL EVENT		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize hours of liquor sale to 4 a.m. on the night of Thursday, February 12, 2015 at the Bearfoot Bistro in the Listel Whistler Hotel for a Special Occasion Licence for the Revolutions with Paul Oakenfold event.

REFERENCES

Appendices:

"A" – Bearfoot Bistro letter dated December 1, 2014
"B" – Whistler Blackcomb Foundation letter dated December 1, 2014
"C" – Crystal Lodge letter dated December 3, 2014
"D" – Hilton Whistler Resort & Spa letter dated December 5, 2014

PURPOSE OF REPORT

Municipal policy requires Council approval for any sale of liquor past 2 a.m. This report requests that Council authorize hours of liquor sale to 4 a.m. on the night of February 12/13, 2015 for the Revolutions with Paul Oakenfold event at the Bearfoot Bistro in the Listel Whistler Hotel. Existing policy generally does not support liquor sales past 2 a.m., but Council Policy G-17 *Municipal Liquor Licensing Policy* makes an exception for proposals that are determined by Council to generate extraordinary benefits to the resort community and do not have any unacceptable negative impacts on the community or the resort.

DISCUSSION

Proposed Revolutions with Paul Oakenfold Event

The February 12, 2015 after-dinner event would be held from 10 p.m. to 4 a.m. in the Bearfoot Bistro restaurant, lounge and wine cellar areas and is planned for up to 450 guests. The event would include food by the Bearfoot Bistro chefs and entertainment from well-known DJ Paul Oakenfold. Liquor service would be provided using a Special Occasion Licence (SOL) and the net proceeds of the event would be donated to the Whistler Blackcomb Foundation, the charitable organization which would hold the Special Occasion Licence and is applying for an SOL policy exemption. See Appendix "A" for a letter from the Bearfoot Bistro describing the proposed benefits of the event and measures planned to mitigate against potential negative impacts.

In order to serve liquor with the SOL the Bearfoot Bistro will de-license the existing food primary restaurant and liquor primary lounge and wine cellar areas. Under Liquor Control and Licensing

Branch (LCLB) policies for Special Occasion Licences the generally permitted hours of liquor service are between 9 a.m. and 2 a.m. For an extension of liquor sale to 4 a.m. the LCLB requires local government approval of the exemption to LCLB policy.

Benefits to the Resort Community
Council Policy G-17 establishes three specific events eligible for liquor service past 2 a.m. – other proposed events past 2 a.m. must be determined by Council to "generate extraordinary benefits to the resort community" and not to just a single business. The policy further states that, "Consideration will be given to proposals which provide incremental room nights, offer exceptional entertainment, provide positive media attention, cater to a favourable audience demographic, cater to a significant corporate group, provide a charitable benefit, provide benefit to multiple business sectors or provide another substantial benefit to the resort community."

The proposed February 12, 2015 event at the Bearfoot Bistro is not among the three events specifically identified in Council Policy G-17. Therefore, the proposed event must be determined by Council to generate extraordinary benefits to the resort community, considering the above policy criteria. The following is a review of the proposed benefits to the resort community of the Revolutions with Paul Oakenfold:

- Exceptional Entertainment

  Paul Oakenfold has been described in the entertainment media as "one of the true legends of electronic music", and is most recently noted for touring with Madonna and working on film scores such as the Bourne Identity. He is widely known as an entertainer, and the applicant states that he is known to be one of the highest paid DJs in the world. The event will provide a unique opportunity for patrons to enjoy his entertainment in an intimate venue.

- Charitable Benefit

  Mr. Oakenfold has agreed to donate his time to the event. In accordance with LCLB policies, if the purpose of an SOL event is to raise funds for a charitable cause, then the total profits from the entire special event must be donated to the charitable cause. In this case the net proceeds from the event will be donated to the Whistler Blackcomb Foundation. This local charitable organization provides financial support to registered non-profit organizations whose activities provide benefit to residents of the Sea to Sky Corridor in the areas of health, human services, education, recreation, arts and culture and the environment with an emphasis on children, youth and family programs. See Appendix "B" for a letter of support from the Whistler Blackcomb Foundation, also acknowledging the benefit of previous Bearfoot Bistro fundraising events.

- Favourable Audience Demographic

  The event entertainment and offerings target affluent clientele in the 35 to 55 year age range. The ticket price is $150 per person, including entertainment, food and drinks.

- Benefit to Multiple Business Sectors

  The Bearfoot Bistro will be closed for regular dinner service, and patrons would likely dine in other Whistler restaurants prior to the event. Hotels and taxi companies are among other businesses who would benefit from the mid-week (Thursday) event.

Noise Mitigation Measures
An event with liquor service until 4 a.m. could have potential noise impacts on those staying in Village accommodation units, and the following noise mitigation measures are proposed:

- Noise from the event itself will be confined to the interior areas of the Bearfoot Bistro restaurant, lounge and wine cellar; the patio will not be used for the event.
- With the extended closing time attendees will gradually depart the event throughout the evening, and Listel Hotel staff will remind them to be respectful of others staying in Village accommodations.
- Listel Hotel staff will advise taxi companies of the event and will assist guests in booking taxis. Departing guests will be encouraged to wait inside the building until taxis arrive.
- The Listel Hotel supports the event and will ensure that guests will be aware of the late night event. Many of those staying in the hotel will be associated with the event.
- Surrounding hotels have been advised of the event, and letters of support have been provided by the Crystal Lodge (Appendix "C") and Hilton Whistler Resort & Spa (Appendix "D").

The Whistler RCMP have no concerns with the event, and they have noted that past late night events at the Bearfoot Bistro have not been a problem for the community. The Bearfoot Bistro has agreed to pay for additional policing resources, if needed.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Economic	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services	The Bearfoot Bistro Revolutions with Paul Oakenfold event would provide unique production values and attract positive media attention to the resort.
Visitor Experience	Community members and organizations work collectively to ensure exceptional experiences that exceed visitor expectations	The Paul Oakenfold event provides an opportunity for the food and beverage sector, local government and enforcement agencies to work together to enable memorable visitor experiences while maintaining order and respecting the rights of other residents and visitors.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Visitors and residents can readily immerse themselves in nature, free from noise and light pollution	Noise from guests leaving an event serving alcoholic beverages can be disruptive to visitors staying in the Village. Event organizers have developed transportation plans at dispersal time to mitigate the potential for noise. Further, many event attendees will be staying in the Listel and surrounding hotels and are not likely to disturb those staying in Village accommodations. Previous 4 a.m. events at the Bearfoot Bistro have not been a problem for the community.
Health & Social	Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness and they avoid the abusive use of substances that evidence indicates have negative effects on physical and mental health	Any extended opportunity for the sale of alcohol has the potential for over-service and/or excessive consumption. The applicant will have appropriately trained staff and has committed to preventing guests from being over-served.

OTHER POLICY CONSIDERATIONS

Municipal policy on extended hours of liquor sale was established by the adoption of Business Regulation Amendment Bylaw (Licensed Premises) No. 1616, 2002. This regulation restricts the hours of liquor sale to between 9 a.m. and 2 a.m. except to the extent that Council may authorize extended hours for specified dates, either generally or in respect of individual premises specified in the authorizing resolution. This exception was included in the regulation as recommended by the municipal Liquor Licence Advisory Committee specifically to accommodate special dates, such as New Year's Eve, or special events that have a community-wide benefit.

Council Policy G-17 *Municipal Liquor Licensing Policy* includes a policy on temporary extension of closing hours. The policy states, "The Municipality does not support extensions of closing hours for licensed establishments past 2 a.m., except for specific dates/events established by policy or for proposals that are determined by Council to generate extraordinary benefits to the resort community and do not have any unacceptable negative impacts on the community or the resort." The Revolutions with Paul Oakenfold event satisfies these criteria and is appropriate for Council consideration.

The RMOW liquor licence application review process takes into consideration the compliance and enforcement history of the licensee and operator of the establishment. The Whistler Detachment of the RCMP has reviewed the Bearfoot Bistro's compliance history and determined them to be in "Good Standing".

COMMUNITY ENGAGEMENT AND CONSULTATION

In accordance with Council Policy G-17, the request for extended hours has been referred to individual members of the municipal Liquor Licence Advisory Committee (LLAC) for their comment. (Under the LLAC process, the committee as a whole does not consider the application and there is no formal recommendation from the committee.) There were no concerns expressed by LLAC members.

SUMMARY

This report presents an application from the Bearfoot Bistro for hours of liquor sale until 4 a.m. at the Listel Whistler Hotel on the night of Thursday, February 12/13, 2015 for the Revolutions with Paul Oakenfold event. Staff recommends that Council approve the extended hours of sale.

Respectfully submitted,

Frank Savage
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

BEARFOOT BISTRO

Whistler, December 1, 2014

Mayor and Council
RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
Whistler (B.C.)
V0N 1B4

Re: REVOLUTIONS with PAUL OAKENFOLD, an after-dinner event presented by Monster Energy at Bearfoot Bistro.

In an ongoing endeavor to assist the Whistler Blackcomb Foundation in their goal to support larger, more everlasting community projects within the Sea to Sky Corridor, the Bearfoot Bistro has developed a unique fundraising opportunity.

Through personal connections, the world famous DJ, Paul Oakenfold, has generously agreed to donate his time for an event on Thursday, February 12th, 2015. Although his career has stretched over 3 decades Mr. Oakenfold is most recently noted for touring with Madonna and working on film scores such as The Bourne Identity. This is a huge win for the Whistler Blackcomb Foundation as Mr. Oakenfold is known to be one of the highest paid DJs in the world. Mr. Oakenfold's genre of music is diverse but he plans to host a show that will target affluent clientele between the age of 35 – 55 years old.

Monster Energy and the Bearfoot Bistro are seeking permission from Council for the event to run from 10pm to 4am. This will enable all event attendees to have the opportunity to dine at restaurants throughout Whistler prior to attending the event. We estimate the number of guests to attend to be 450.

The ticket price of $150 is aligned with the delivery of a high value experience, inclusive of music, food and drinks. Executive Chef Melissa Craig will be creating an after-dinner food menu with Executive Pastry Chef Dominic Fortin.

The Listel Whistler Hotel and the surrounding hotels are in support of the event and are pleased that the event is benefiting the Whistler Blackcomb Foundation.

BEARFOOT BISTRO

The extension of hours will also allow guests to gradually depart during the evening and avoid that they all leave at the same time. Patrons from the Bearfoot Bistro are known to be respectful and well behaved. Those who will be looking for transportation at the end of the night will be taking taxis. The Bearfoot Bistro hostesses will order taxis for guests and invite them to wait inside the building until the taxis have arrived. An employee of Listel Whistler Hotel will be on duty at the front of the hotel to remind guests to keep noise down when leaving the property. Taxi companies will be informed in advance of the event.

We thank Council for your consideration.

Kind regards,

Erin Kincaid
Tel.: (604) 905 9948

December 1, 2014

Mayor and Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC
V0N 1B4

Re: Revolutions with Paul Oakenfold – After Dinner Event at the Bearfoot Bistro
Whistler Blackcomb Foundation Registered Charity Number - 1350 2619 3 RR0001

The Whistler Blackcomb Foundation is pleased to be the recipient of an after dinner event featuring Paul Oakenfold at the Bearfoot Bistro on Thursday, February 12, 2015

We have partnered with the Bearfoot Bistro previously on successful fundraising events, including SKY HIGH this past June. All proceeds from these events support local non-profit charities in the Sea to Sky Corridor and to date the Whistler Blackcomb Foundation has contributed over 8.5 million dollars to our local communities focusing on children and youth.

We would be grateful if mayor and council would consider the extension request from the Bearfoot Bistro. As always, a representative from the Whistler Blackcomb Foundation will be present to ensure the liquor law policies are enforced as we will also be the holders of the Special Occasion License

Thank you for your consideration of this request.

Warmest Regards,

Mei McCurdy
Executive Director
Whistler Blackcomb Foundation

APPENDIX C

4154 VILLAGE GREEN • WHISTLER, BC CANADA V0N 1B4
T 604.932.2221 • F 604.932.2635
info@crystal-lodge.com

CRYSTAL Lodge

December 3, 2014

Mr. Frank Savage

Planner, RMOW

Mr. Savage,

Please accept this letter as the Crystal Lodge's approval in support of the request from Erin Kincaid, Manager of Bearfoot Bistro Whistler to hold the Revolutions with Paul Oakenfold event on February 12, 2015. We acknowledge that this event (if approved) will run from 10pm to 4am and will have up to 450 participants.

Please feel free to contact me if you have any further questions.

Kind Regards,

Ian Lowe

General Manager
Ph: 604.938.2301

Hilton
Whistler Resort & Spa

December 5th 2014

RE: February 12 2015

To whom it may concern:

I understand that The Bearfoot Bistro is applying for an extension of hours until 4am on this date February 12th 2015. I further understand that this is in support of a fund raiser for the Whistler Blackcomb Foundation..

I am writing to support their application for this event and believe that this will raise significant funds for this charity. Our concerns are limited to the noise of the exiting guests and provided this is managed appropriately as they have described in their application then we have no issues with this extension.

Yours truly,

Stephen Webb
General Manager
Hilton Whistler Resort & Spa.

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-016
FROM:	Resort Experience	**FILE:**	DVP 1088
SUBJECT:	DVP 1088 – 2320 GONDOLA WAY – HEIGHT VARIANCE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council not approve Development Variance Permit DVP 1088 to vary the maximum permitted height of the dwelling at 2320 Gondola Way from 7.6 metres to 10.01 metres as illustrated on the Architectural Plans A-001, A-101, A-102, A-103, A-104, A-201, A-202, A-203, A-204, prepared by Scott Densmore, dated December 1, 2014, and attached as Appendix "B" to Administrative Report No. 15-016.

REFERENCES

Location:	2320 Gondola Way
Legal Description:	Lot 33 District Lot 7135 Plan VAS2639
Owners:	Antonio and Adraina Gugliotta
Zoning:	RS1 (Residential Single Family One)
Appendices:	"A" Location Map
	"B" Architectural Plans
	"C" Conceptual Image
	"D" Letters from Neighbours

PURPOSE OF REPORT

This report seeks Council's consideration to vary the height requirements of Zoning and Parking Bylaw No. 303, 1983 for a proposed home alteration at 2320 Gondola Way. The report recommends that Council not grant the variance.

DISCUSSION

The subject property at 2320 Gondola Way is occupied by a single family dwelling, located in the Creekside neighbourhood (See Appendix A). This area of Creekside has a residential character, consisting primarily of single family dwellings. The subject property faces directly onto Gondola Way and forms part of a row of single family dwelling's that define the streetscape character.

The applicant is proposing to vary the maximum permitted height of the dwelling from 7.6 metres to 10.01 metres to enable the addition of a fourth floor to an existing single family dwelling. The addition is proposed at the rear of the building and, although it will not increase the existing roof

ridge height, it will add to the massing of the existing dwelling in relation to the street and neighbouring properties. Architectural plans are provided as Appendix B. A conceptual image has been provided to demonstrate how this addition may be integrated with the streetscape as Appendix C.

The impetus for this proposal is a result of the basement floor area exclusion regulations introduced in 2012. Under the basement floor area exclusion regulation, approximately 563 ft^2 of basement floor area contained in the existing dwelling at 2320 Gondola Way is eligible to be excluded from gross floor area calculations, which is the proposed size of the addition.

The reasons cited by the applicant for the requested variance is a lack of space to accommodate a growing family and that the children do not have a safe space to play, and are forced to play on the street.

The requested variance is described below:

Requested Variance	Zoning and Parking Bylaw No. 303, 1983
Vary the maximum permitted height of the building from 7.6 metres to 10.01 metres.	Whistler "Zoning and Parking Bylaw 303, 1983" states: Section 11.1.3 – Height The maximum permitted height of a building is 7.6 metres.

Staff have developed internal evaluation criteria for DVP applications. The table below shows how DVP 1088 compares to these criteria.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood	The proposal increases the massing of the building to an extent that it is no longer complementary to the existing streetscape or neighbourhood.
Works with the topography on the site, reducing the need for major site preparation or earthwork	No major site preparation or earthwork.
Maintains or enhances desirable site features, such as natural vegetation, trees, and rock outcrops	No impact.
Results in superior siting with respect to light access resulting in decreased energy requirements	Not applicable.
Results in superior siting with respect to privacy	Not applicable.
Enhances views from neighbouring buildings and sites	Not applicable.

Potential Negative Impacts	Comment
Is inconsistent with neighbourhood character	The proposal increases the massing of the building, disrupting the continuity between neighbouring homes as illustrated in Appendix C.
Increases the appearance of building bulk from the street or neighbourhood character	The addition will increase the dwelling's massing to a point where it may disrupt the design continuity of the streetscape and neighbourhood, as it will no longer be in compliance with development regulations.
Requires extensive site preparation	No extensive site preparation.
Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, and views)	It is anticipated that this addition could substantially affect the use and enjoyment of the adjacent lands, in terms of privacy, light access, views and noise, as provided in a letter located in Appendix D.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac	Not applicable.
Requires a height variance to facilitate gross floor area exclusion	When the basement floor area exclusion regulations were introduced in 2012, Administrative Report No. 12-028 cautioned about proposed variances that create a larger building mass that are substantially affecting the use and enjoyment of adjacent lands in existing neighbourhoods. At the time of writing this report, there has been no rationale provided as to why this addition needs to result in a height variance. The applicant could consider other locations where the addition could be integrated within the height regulations of the Zoning Bylaw.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations)	Not applicable.

It is staff's opinion that the variance proposal does not seem reasonable, does not maintain the intent of the regulation, and there are foreseeable negative impacts on neighbours and the streetscape.

A variance application is considered reasonable where specific site characteristics or other unique circumstances do not permit strict compliance with the regulations, which has not been demonstrated in this case. There is no evidence of specific characteristics that would not allow the applicant to pursue alternative solutions. Further, accommodating a growing family is a common circumstance, not unique. It should also be noted that the rationale for this proposal to accommodate a growing family has been put into question based on community engagement. Additional information on this matter is provided in the Community Engagement and Consultation section of this report.

The variance does not maintain the intent of the height regulation as the proposal would considerably alter the dwelling's massing, disrupting the continuity between neighbouring homes. This is illustrated in Appendix C. It is anticipated that the proposal would negatively impact neighbours and the streetscape, based on review by the DVP internal evaluation criteria and by the letters provided as Appendices D and F, a result of community engagement.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
None.		

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Limits to growth are understood and respected.	Height variance may impact neighbourhood character.

OTHER POLICY CONSIDERATIONS

The *Local Government Act*, through Section 922, allows Council to vary regulations contained in the Zoning Bylaw by way of a Development Variance Permit.

BUDGET CONSIDERATIONS

There are no budget implications with this proposal. Development Variance Permit application fees provide for the recovery of costs associated with this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP 1088 has been posted on the property. Notices were sent to surrounding property owners in November 2014 as required by the *Local Government Act*. At the time of writing this report, the Municipality has received eight letters, six of which are from neighbours and two letters from the Strata Council (Bear Creek Estates Strata). The letters sent from the neighbours are opposed to the variance request, on the basis that the proposal is not well integrated with the neighbourhood form and character and that the rationale to accommodate a growing family is not accurate. The Strata has asked to review and provide comments on the proposal to aid in the design continuity with the neighbourhood as they have the right to review and approve any changes to private buildings. These letters have been compiled in chronological order and are attached as Appendix D.

SUMMARY

Development Variance Permit DVP 1088 requests to vary the maximum permitted height of the dwelling at 2320 Gondola Way from 7.6 metres to 10.01 metres, for Council's consideration.

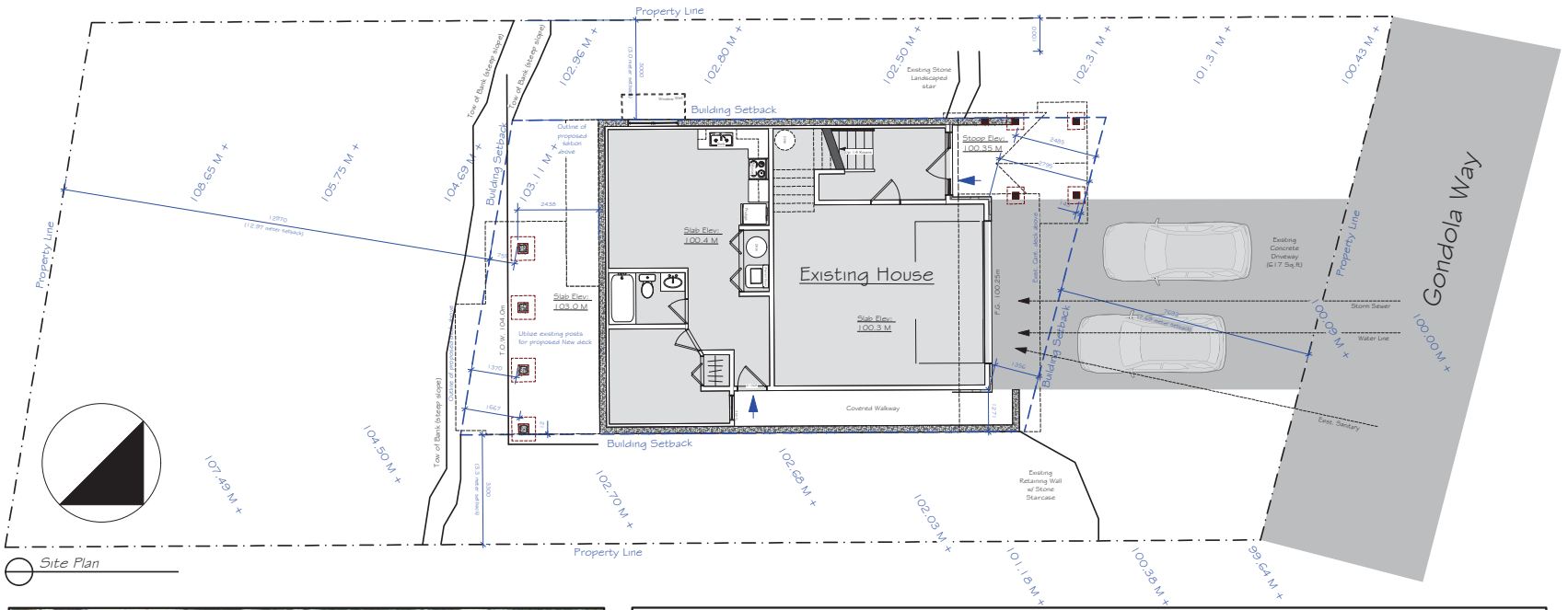
Staff recommends that Council not support the variance request.

Respectfully submitted,

Brook McCrady
PLANNING ANALYST
for
Jan Jansen
RESORT EXPERIENCE GENERAL MANAGER

Location Map

Subject Property



Site Plan

Key Plan N.T.S

Scope of Work:

To perform a Renovation by adding an Additional area to the existing residence at 2320 Gondola Way, Whistler,BC.

Required:
1. Height Variance from allowable 7.6M (24.93') to 10.01M (32.84'). Allowing for a ceiling min. clear height of 8' 1 7/8".
2. Average grade is 1.376M (4.52') above Lowest average Grade. Resulting in 563 Sq.Ft GFA to be added to Proposed Top floor.

Reason for Renovation and Variance:
The home owners are desperate for more space for their family, with children already sharing rooms, an additional bedroom would help relieve the overcrowding. Plus, with a new baby coming, a secluded bedroom space would be ideal. Finally, it will provide a much needed safe play space for the children in the backyard, considering the lack of one they currently have, they are forced to play on the street.

The Renovation will include:
-Apply for Non-Conforming Space exception inc calculations.
-Construct all affected areas to BCBC 2012 and according to HPO Best Practice Guide.
-Add 563 Sq.ft GFA from above calculation (basement) to add to existing upper Loft area converting it into usable, legitimate space.
-Convert existing area by building-out existing loft into NEW Master Bedroom, Ensuite and Sitting area. Accessed by NEW stair case built into existing sq.ft below where ensuite and closet are.
-Utilize existing rear roof posts (over Hot tub) to attach NEW deck. Roof to remain due to deck NOT being waterproof.
-Install NEW roof (gable 1/12) over addition and clad it with matching metal roofing. Roof to be blown 2lb foam with ventilated soffits only.
-Revise affected room layouts below NEW staircase to suite new layout.

Highlights:
-2 way DV fireplace in new master ensuite.
-new air to air heat pump for cooling into upper and top floors.
-New private deck with area for potential Hot tub.
-New open staircase to renovated area.

Project Information

Max GFA: 213.07 Sq.m (2298.17 sq.ft)

F.S.R: 0.35 (or 2298.17 sq.ft)

Max Building Height: 7.6m (24'-11 3/16")

Setbacks: 7.68m (f), 14.5m (r), 3m (r.side), 3.3m (l.side)

Parking Required: 2 spaces (2.6m x 6.1m)

Lot Area: 610.02 Sq.m (6566.20 sq.ft)

Address: 2320 Gondola Way, Whistler, British Columbia, Canada.

Plan: VAS2639, Lot 33, N.W.D, Group 1

P.I.D: 015-966-771

D.L: 7135

Zoning: RS1

Occupancy: Residential C

Drawing List

A-001 Site Plan, Key Plan, Building Program & Scope of Work

A-101 Exist. Lower & Main Floor Plans
A-102 Exist. Upper Floor & Roof Plans
A-103 Proposed Upper Floor & Top Floor Plans
A-104 Proposed Roof Plan, Height & Limiting Distance Calculations

A-201 Exist. & Proposed Front Elevations
A-202 Exist. & Proposed Rear Elevations
A-203 Exist. & Proposed Left Side Elevations
A-204 Exist. & Proposed Right Side Elevations

A-501 Sq.Ft Calculations

Project Directory

Designer: ECO Mountain Homes (Scott Densmore)
P.O Box 565, Whistler,BC.
604-966-7044

Structural: United Building Systems (Ed Lim P.Eng)
604-220-6060

Builder: Tom Dennehy
604-9023652

ECO MOUNTAIN HOMES
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Commercial Tenant Improvements
Energy Audits
Construction Management
604-966-7044
(scottdensmore@hotmail.com)

Project: Gugliotta Renovation
2320 Gondola Way
Whistler, BC.

Plan: Site Plan, Key Plan, Project Information & Project Scope

Scale: 1:20

Date: Dec 1, 2014.

Sheet No: A-001

Issue Date:
1. Issue for Design Approval. Aug 10, 2014.
2. Issue for Dev. Permit. Aug 19, 2014.

Revision No:

Professional Stamp:

Drawn by: S. Densmore

General Construction Notes

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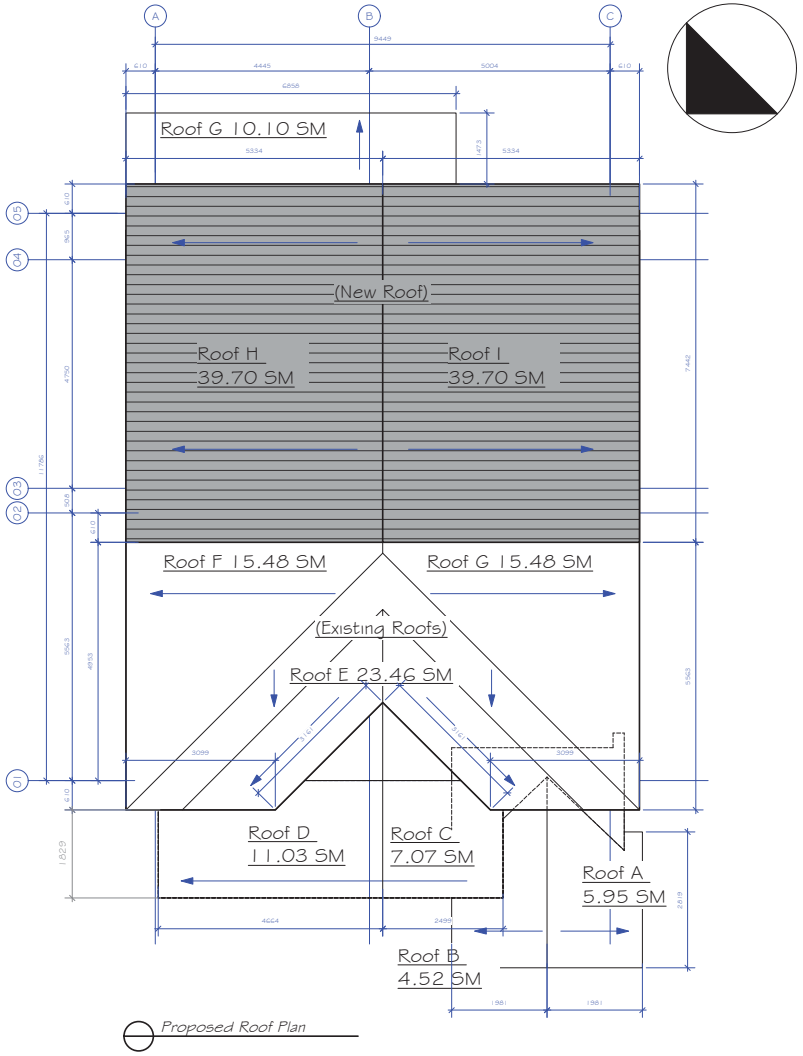

Proposed Roof Plan

Proposed Roof Height Calculations (MET)

Roof Elev.	Area (SM)	%	Avg. Height	TOTAL
A	5.95	3.4	2.8	0.09
B	4.52	2.6	2.8	0.07
C	7.07	4.1	8.7	0.36
D	11.03	6.4	7.8	0.50
E	23.46	13.6	10.0	1.36
F	15.48	9	10.0	0.90
G	15.48	9	10.0	0.90
H	39.70	23	11.6	2.67
I	39.70	23	11.6	2.67
J	10.10	5.9	8.3	0.49
Total	172.49	100	-	10.01m (+2.41m)
Permitted				7.60m

Limiting Distance (UPO) Calculations

Front Elevation SIDE A
Area of Building Face: 1021.94 sq.ft (94.94 sq.m or 100 sq.m)
Limiting Distance: PL 25' 2 7/8" (7.69 m or 6.0 m)
Area of Glass: 297.31 sq.ft (27.62 sq.m)
% of U.P.O: 29%
Allowable % of U.P.O: 34%

Rear Elevation SIDE B
Area of Building Face: 859.07 sq.ft (79.81 sq.m or 100 sq.m)
Limiting Distance: PL 42' 6 5/8" (12.97 m or 12.0 m)
Area of Glass: 285.25 sq.ft (26.50 sq.m)
% of U.P.O: 33%
Allowable % of U.P.O: 100%

Left Side Elevation
Area of Building Face: 813.80 sq.ft (75.6 sq.m or 100 sq.m)
Limiting Distance: PL 10' 9 7/8" (3.3 m Extrapolated)
Area of Glass: 104.15 sq.ft (9.68 sq.m)
% of U.P.O: 13%
Allowable % of U.P.O: 13.5% (Extrapolated)

Right Side Elevation
Area of Building Face: 870.22 sq.ft (80.8 sq.m or over 100 sq.m)
Limiting Distance: PL 9' 10 1/8" (3 m Extrapolated)
Area of Glass: 96.50 sq.ft (8.97 sq.m)
% of U.P.O: 11%
Allowable % of U.P.O: 12.5% (Extrapolated)

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(scottdensmore@hotmail.com)

Project:
Gugliotta Renovation
2320 Gondola Way
Whistler, BC.

Plan:
Proposed Roof Plan, Height & Limiting Distance Calculations

Scale: 1:50

Date: Dec 1, 2014.

Issue Date:
1. Issue for Design Approval. Aug 10, 2014.
2. Issue for Dev. Permit. Aug 19, 2014.

Sheet No: A-104

Revision No:

Professional Stamp:

Drawn by: S. Densmore

General Construction Notes

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Existing Grade Note Legend (BP1057)

T.O.W = Top of Wall

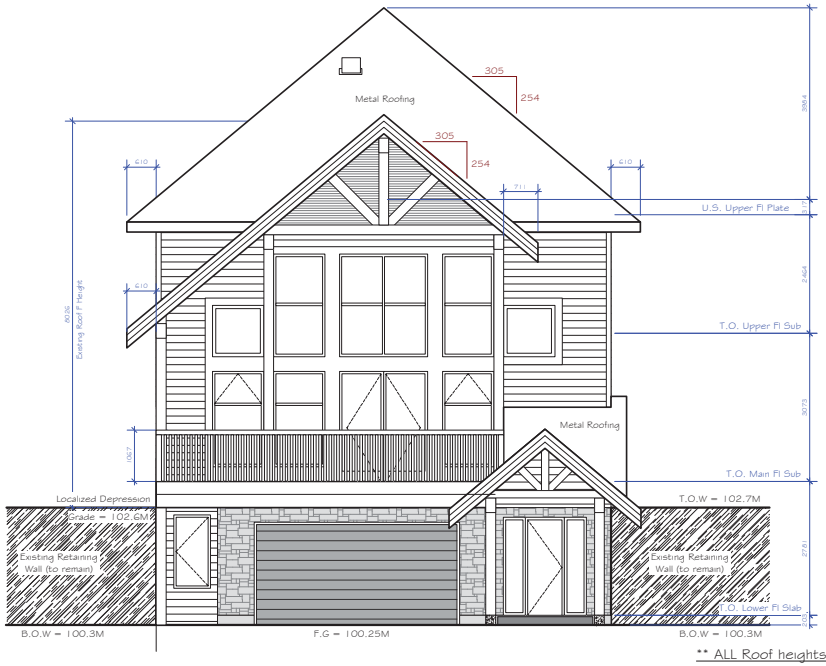
B.O.W = Bottom of Wall

F.G = Footing Grade

Color Legend

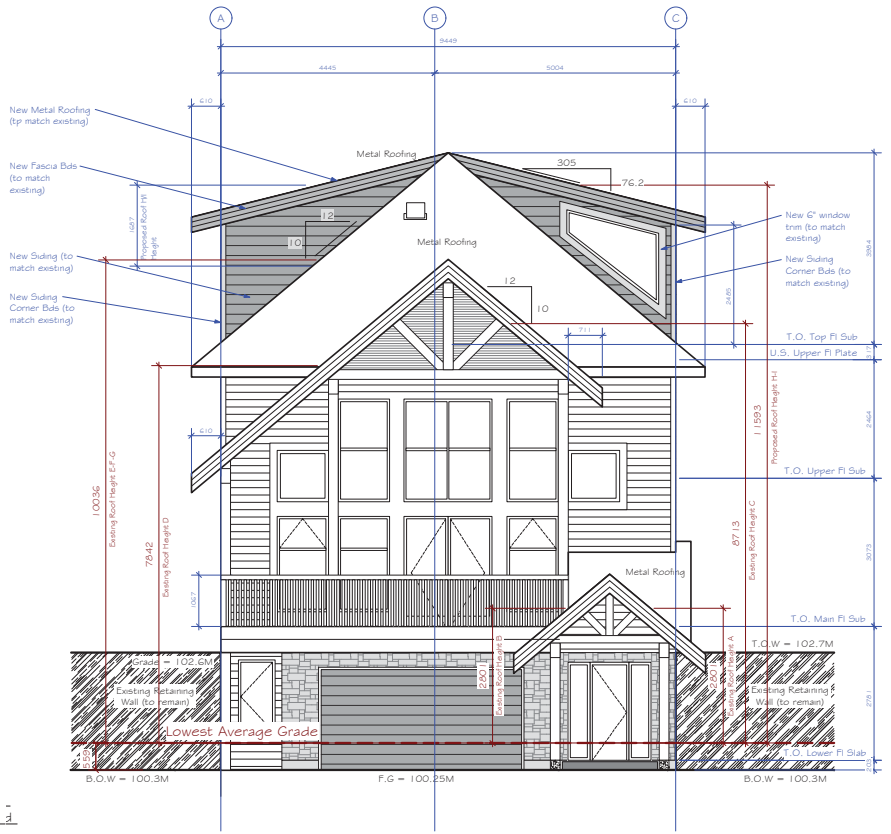
Proposed Construction

Existing Construction



Existing Front Elevation

** ALL Roof heights are measured from Localized & Depression of 102.6M



Proposed Front Elevation

Side A

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Construction Management

604-966-7044

(scottdensmore@hotmail.com)

Project:

Gugliotta Renovation

2320 Gondola Way

Whistler, BC.

Plan:

Existing & Proposed Front Elevations

Scale:

1:50

Date:

Dec 1, 2014.

Sheet No:

A-201

Issue Date:

1. Issue for Design Approval. Aug 10, 2014.

2. Issue for Dev. Permit. Aug 19, 2014.

Revision No:

Professional Stamp:

Drawn by:

S. Densmore

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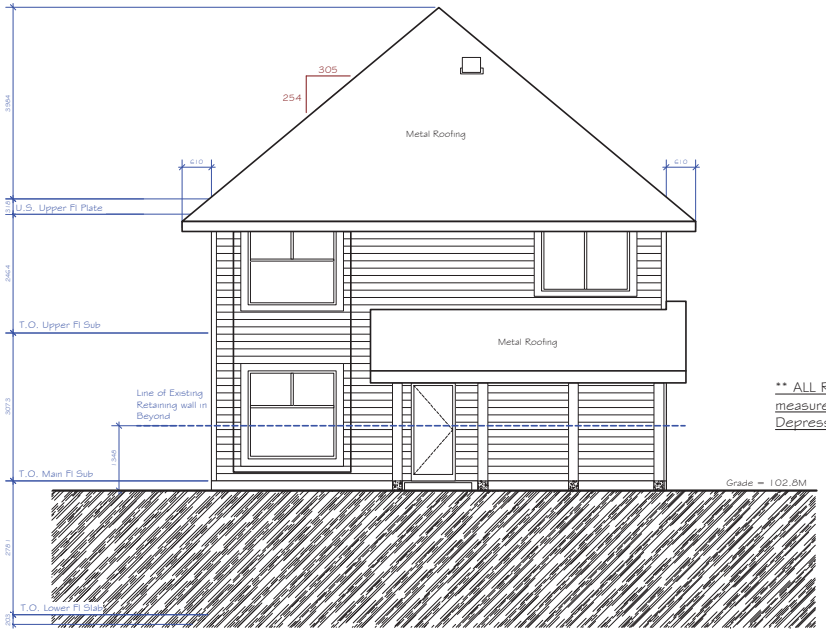
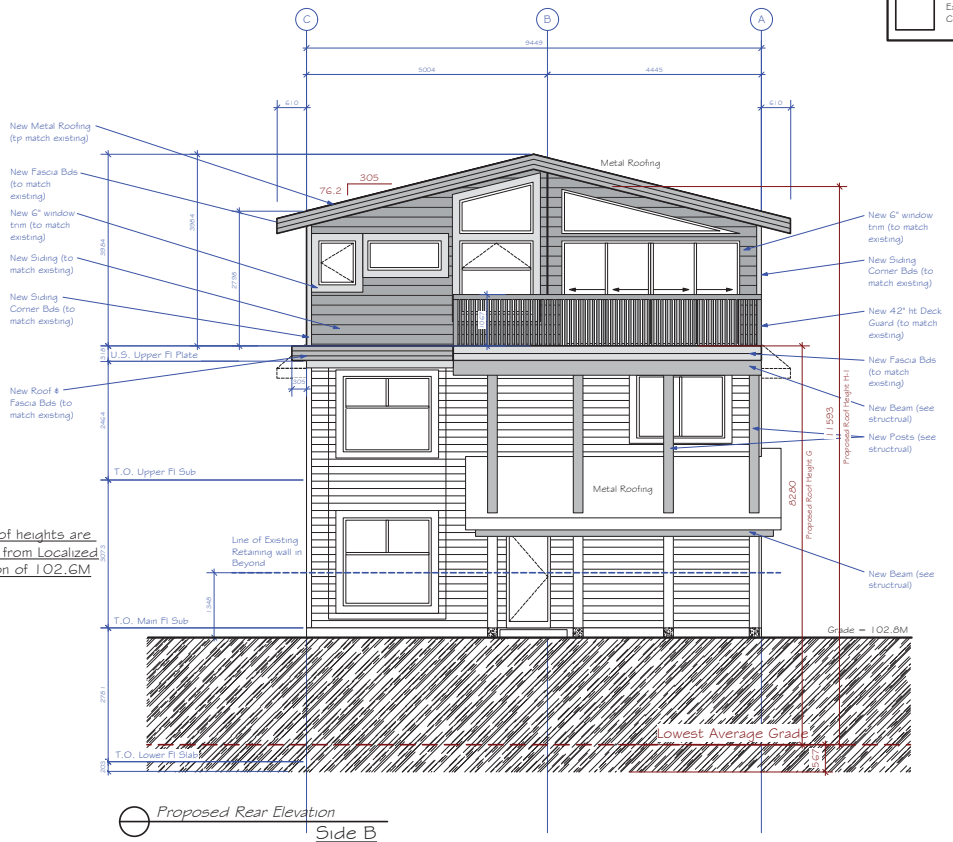
Color Legend
- Proposed Construction
- Existing Construction



Existing Rear Elevation

** ALL Roof heights are measured from Localized Depression of 102.6M



Proposed Rear Elevation
Side B

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Energy Audits
Construction Management
604-966-7044
(scottdensmore@hotmail.com)

Project: Gugliotta Renovation
2320 Gondola Way
Whistler, BC.

Plan: Existing & Proposed Rear Elevations

Scale: 1:50

Date: Dec 1, 2014.

Sheet No: A-202

Issue Date:
1. Issue for Design Approval. Aug 10, 2014.
2. Issue for Dev. Permit. Aug 19, 2014.

Revision No:

Professional Stamp:

Drawn by: S. Densmore

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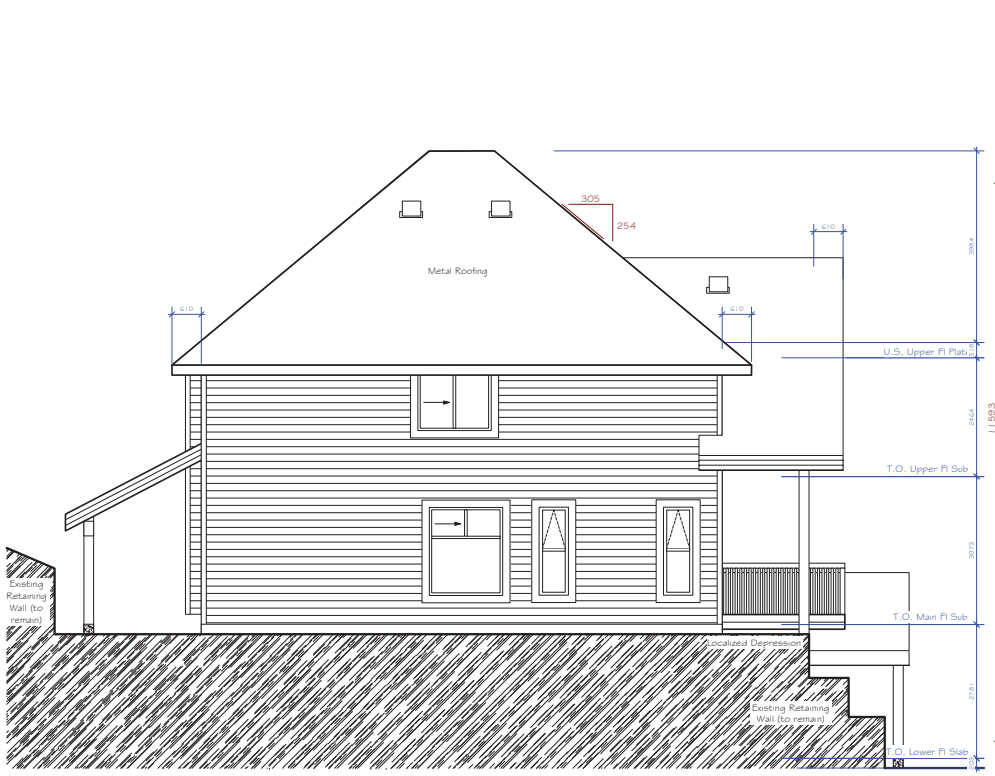
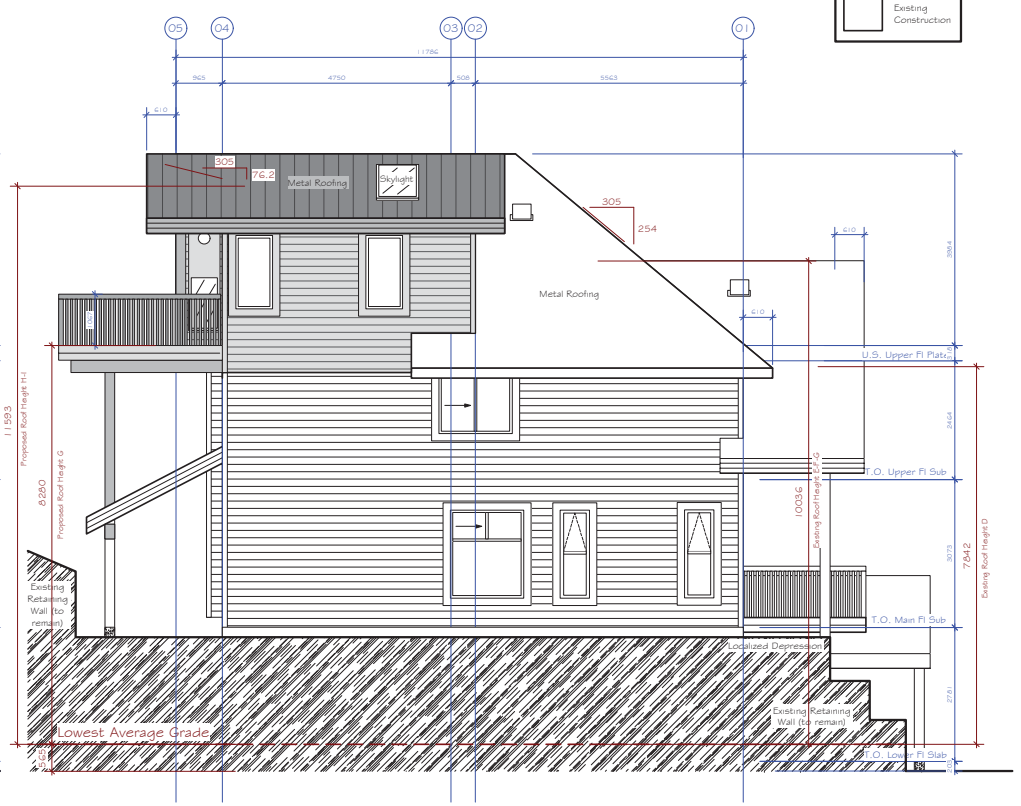
Color Legend
- Proposed Construction
- Existing Construction



Existing Left Side Elevation



Proposed Left Side Elevation
Side D

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Construction Management
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(scottdensmore@hotmail.com)

Project:
Gugliotta Renovation
2320 Gondola Way
Whistler, BC.

Plan:
Existing & Proposed Left Side Elevations

Scale:
1:50

Date:
Dec 1, 2014.

Sheet No:
A-203

Issue Date:
1. Issue for Design Approval. Aug 10, 2014.
2. Issue for Dev. Permit. Aug 19, 2014.

Revision No:

Professional Stamp:

Drawn by:
S. Densmore

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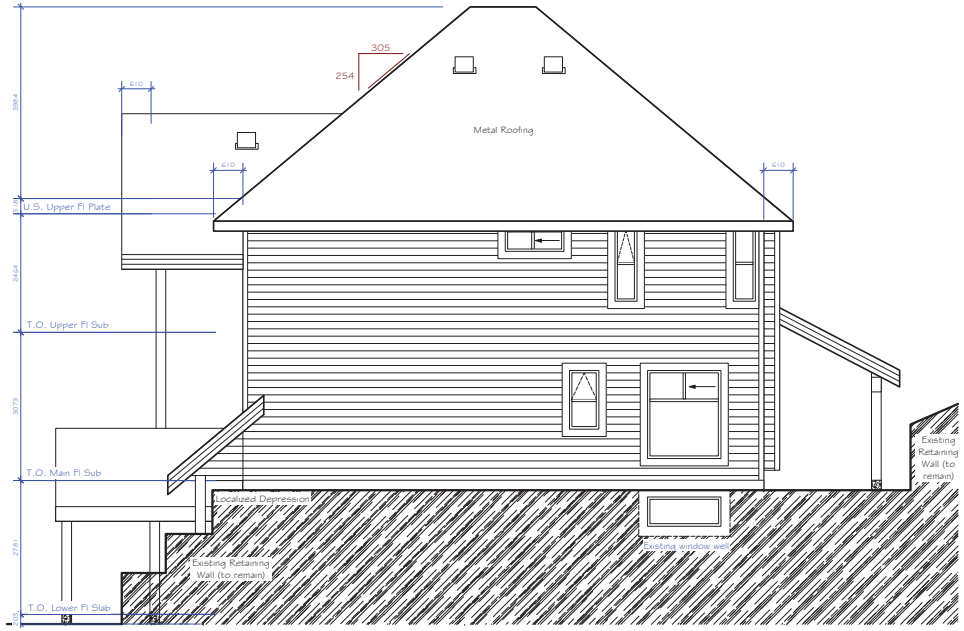
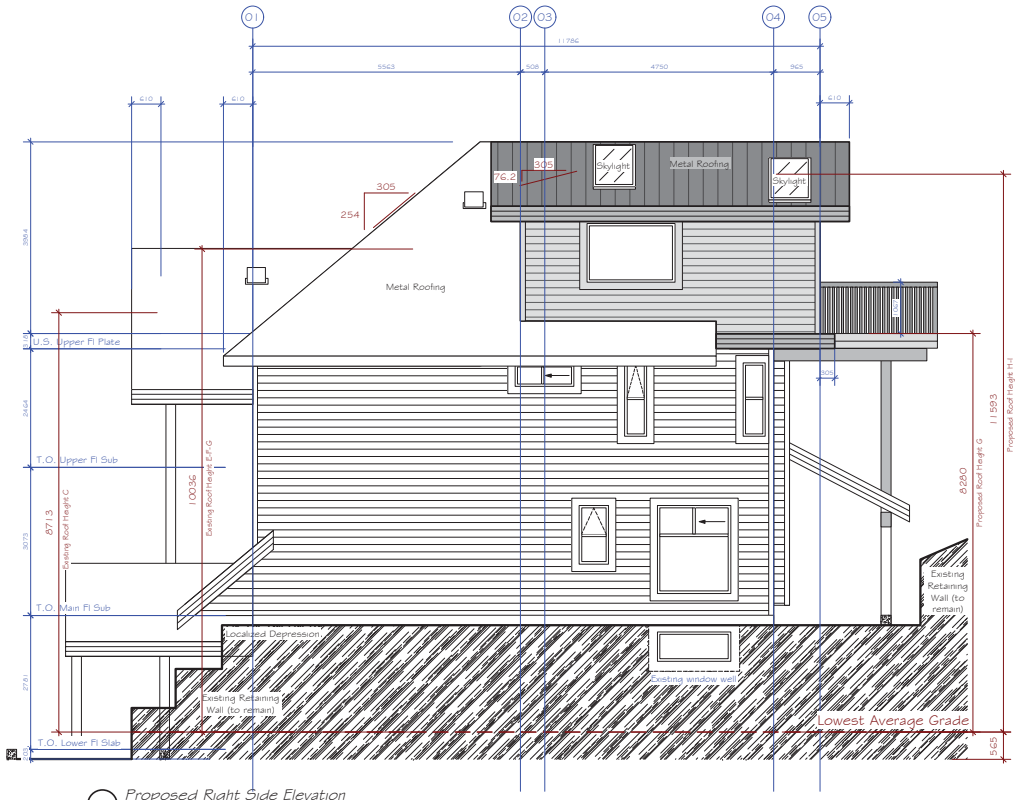
Color Legend
- Proposed Construction
- Existing Construction



Existing Right Side Elevation



Proposed Right Side Elevation
Side C

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(scottdensmore@hotmail.com)

Project:
Gugliotta Renovation
2320 Gondola Way
Whistler, BC.

Plan:
Existing & Proposed Right Side Elevations

Scale:
1:50

Date:
Dec 1, 2014.

Sheet No:
A-204

Issue Date:
1. Issue for Design Approval. Aug 10, 2014.
2. Issue for Dev. Permit. Aug 19, 2014.

Revision No:

Professional Stamp:

Drawn by:
S. Densmore

APPENDIX C

Subject Property

Brook McCrady

From: grant sun <grantcsun@gmail.com>
Sent: Saturday, December 13, 2014 12:23 PM
To: Brook McCrady
Subject: development variance permit application #1088

Greetings,
I am a neighbouring property owner of the subject property and am opposed to the development variance permit.

The maximum property heights were set for a reason and there is no reason for this house at 2320 Gondola Way to be exempt. It was fairly recently built and the current
design and size conforms well with the neighbourhood.

Judging from the different groups of people that have been staying there, it doesn't appear that it is a single large family that simply needs more space.

Thank you for the chance to comment on this application and hope that the zoning bylaws are upheld and this variance permit denied.

Grant Sun

Second Letter

Brook McCrady
Planning Analyst
Whistler Municipal Hall
Whistler, BC V0N 1B0

December 15, 2014

Dear Mr. McCrady

Re: Development Variance Permit Application 1088

It has come to my attention Antonio and Adraina Gugliotta of 2320 Gondola Way are planning significant alterations to the exterior height of their home and a corresponding increase in living area. Though the matter is of importance to the municipal planning department, our bare land Strata is very interested in reviewing the proposed changes to the exterior appearance of the home. Our corporate bylaws are provided in writing to every new owner and explicitly state the Strata Council has the right to review and approve any exterior changes to private buildings. A noteworthy local architect who is a member homeowner has been designated by Council to review proposed projects with the intent of maintaining the aesthetic cohesion of our neighbourhood. This architect is extremely familiar with the Municipality's planning and permitting conditions and standards.

The homeowners of 2320 Gondola Way did not inform our Strata council of their project and accordingly we do not have large-format, detailed drawings. We would be very appreciative if you would require the Applicants, as a condition of approval, to provide Strata (via myself) with a complete set of exterior drawings and accompanying notes forthwith. We also respectfully ask that a condition of your approval of the 2320 Gondola Way project be the acknowledgement and support of Bear Creek Strata Council after having had a reasonable amount of time to review the detailed exterior drawings. Given the time of year and associated holidays / absences, I would think January 9, 2015 would not be an unreasonable deadline for our comments to be submitted to you.

I thank you very much for your consideration of our position and trust our request is reasonable and actionable.

Sincerely,

Patrick Mitchell
administrator
Bear Creek Estates Strata
2306 Gondola Way
Whistler

Third Letter

Brook McCrady

From: Shelagh Shelagh <shelagh.ryanmcnee@gmail.com>
Sent: Tuesday, December 16, 2014 11:56 AM
To: Brook McCrady
Subject: Development variance permit application 1088

Hi Brook,
my husband, Doug Konkin, and I are full time Whistler residents who live next door to 2320 Gondola Way. We moved to Bear Creek five years ago, have a business in Whistler and love our communities (Whistler and Bear Creek). We were very surprised - and distressed - to receive on the evening of December 12, the notice of the Gugliotta's application for a height variance from 7.6m to 10.01m on the house they own. We strongly oppose this application and will provide a written submission detailing the negative impacts which would be borne by ourselves, Mark Sager (the neighbour on the other side), and the Bear Creek community if it were approved.

Unfortunately, we will not be able to attend the Council meeting of January 13th, where a decision on the application will be rendered, as we will be out of town. **The potential approval of this application is of great concern to us, and respectively ask that the date the application is reviewed at Council be delayed so we can attend in person.**

In fact, the owners of 2320 Gondola Way, almost from moment of purchase (June 2014), and in contravention with both our strata and RMOW bylaws, have used the house to generate revenue from short term stays. As immediate neighbours of the property, we endured a summer of stag and stagettes; we will provide you with copies of email traffic to our Strata Manager, Patrick Mitchell, and his letter to RMOW bylaw office, which support our efforts to solve the issue in a "neighbourly" manner. In advance of the their application for a development variance permit, the Gugliotta's removed their Airbnb ad. As past actions can predict future problems, I am sure you can appreciate the alarm generated by viewing the architect's drawings of the proposed renovations. Adding an entire floor and positioning a deck three stories up effectively converts the existing house into an apartment building.

As the main purpose of this email is to give you some context as to why we are uncomfortable with missing the January 13th council session - and hence, are requesting a change in date - we won't outline the ways in which the requested variance is not reasonable, does not meet the intent of the regulation, and does not minimize any potential negative impacts on neighbours. That will form the content of our written submission.

Thank you in advance for consideration of our request

sincerely,
Doug Konkin
Shelagh Ryan-McNee

Doug Konkin
Shelagh Ryan-McNee
2324 Gondola Way
Whistler, BC V0N 1B2

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B4

19 December 2014

Attn: Brook McCrady, Planning Analyst

RE: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 1088

Dear Mr. McCrady

Please accept this as a written submission outlining our opposition to the requested development variance of 2320 Gondola Way (application number 1088).

We are full time Whistler residents who live next door to 2320 Gondola Way. We moved to Bear Creek five years ago, have a business in Whistler and love our communities (Whistler and Bear Creek). We specifically chose our home and Bear Creek neighbourhood because of the privacy afforded to us in our back yard, access to natural light, and strata rules which ensured a cohesive streetscape of complementary homes and architecture. It is our understanding that those same elements form key segments of the evaluation criteria RMOW staff utilize in making recommendations to Council regarding variance permit approvals. *RMOW and Bear Creek Strata bylaws prohibiting nightly or short term use were also factors in our purchase; we will outline the relevancy of these bylaws later in our submission.*

The proposed renovation of 2320 Gondola Way would increase the height of the house from 7.6m to 10.01, bulk out the existing attic to allow for a new floor of living space and add a party-sized backyard deck at the 7.6m level. Drawings of the new floor show the addition of large windows along the side of the house facing our home. From the perspectives of our backyard, side patio, kitchen, 2nd floor master bedroom and en suite, the renovation effectively converts 2320 Gondola Way from a house to an apartment building.

If the variance is approved, the ensuing renovations would result in significant loss of privacy and light access for us, and substantially affect the use and enjoyment of our property.

Loss of Privacy

As fulltime residents, we maximize use of our back yard. Our hot tub is situated close to the fence line between our home and 2320 Gondola Way. We enjoy views of the sky, which on summer evenings, include bats emerging from their mountain homes at dusk, and in winter, gift us with spectacular starscapes and soft snowfalls. Post-renovation we will be extremely reluctant to use our hot tub, as the third floor backyard deck will significantly encroach on our privacy; as will the large windows proposed for the new upper level suite/rooms. Our view will be restricted by the underside of a wood deck; our privacy will be substantially reduced by anyone using the deck or looking out the windows.

Additionally, while we erected a fence around our backyard to maximize privacy, trees and foliage, which act as a further privacy and sound-mitigating screen, are located on the Gugliotta property. It is likely that the deck construction will require, at the very least, a thinning of that screen, which will further alter our view of natural forest, replacing it with the unwelcome sight of joists supporting the third floor deck.

Light Access

The bulking up and out of 2320 Gondola Way significantly impacts light access. Presently, our side patio, kitchen, master bedroom and en suite enjoy natural light and sky views from either side of the pitch of 2320's roof. The height variance ensures a complete loss of sky views and natural light access to those rooms, and renders our side patio usable only for storage. Light access will be further compromised through our own efforts to rebuild a semblance of privacy by keeping all our window blinds shuttered on the side of the house facing the intrusive, monolithic structure.

Inconsistency with Neighbourhood Character

The 2320 Gondola Way variance request, if granted, would create a negative visual outlier within the Strata of 47 single family homes. Each dwelling complements the next, with landscape and architectural features that unify the neighbourhood. The bulking up and out of 2320 has the effect of a house on steroids, creating a street view of a dwelling bulging at the seams. The draft design of the renovation begs the question: *why reconfigure the home into a de facto apartment building?*

The question goes to intent: what are the most likely reasons the applicants would submit an application for a variance permit that so significantly impacts the neighbours, and neighbourhood? Having never met the owners, we can only draw from our experiences since they took possession of the house. Almost from the moment of purchase (June 2014), and in clear and knowing contravention with both our strata and RMOW bylaws, the owners have used the house to generate revenue from short-term stays. As immediate neighbours of the property, we endured a summer of stags and stagettes, loud noise, late night

arrivals and departures, and increased traffic. Initially, we absorbed the impacts to our privacy and enjoyment of our property; eventually, we involved the Bear Creek Strata manager, Patrick Mitchell, who submitted a complaint to the RMOW bylaw office (attached below). In advance of their application for a development variance permit, the Gugliotta's removed their Airbnb ad. As past actions can predict future problems, both the variance request and resultant renovations logically, and simply, appear to us as additional space to rent to short-term lodgers.

Renovations which bring easy revenue to owners are very financially compelling. For neighbours, most especially where the variance results in an imposing structure severely impacting the personal privacy and enjoyment of adjacent properties, *that same financial consideration* results in a corresponding drop in their own property values. Value shifts from those homes to the monster dwelling. This is not conjecture: one needs only to study Vancouver property values, particularly in bedroom communities, to recognize this real estate truism.

For all the above reasons, we are strongly opposed to the development variance permit application for 2320 Gondola Way. To augment our written claims of loss of privacy and light access we are attaching photos taken from the master bedroom and en suite, the backyard, kitchen and side patio.

Thank you in advance for your consideration of our submission. Should you have any questions please call us at 604-902-6751 or
email: Shelagh.ryanmcnee@gmail.com or dougwkonkin@gmail.com.

Sincerely,

Original signed by
Doug Konkin

Original signed by
Shelagh Ryan-McNee
Owners and residents 2324 Gondola Way

Cc: Patrick Mitchell, Manager, Bear Creek Strata

Attachments: letter to bylaw services re: 2320 Gondola Way nightly use
Photos of 2324 Gondola Way view points and backyard; fence line between houses

From: Bear Creek Manager <bearcreekmgr@gmail.com>
Date: September 24, 2014 at 6:58:25 AM PDT
To: bylawservices@whistler.ca
Subject: 2320 Gondola Way Nightly Use

Good morning,

On behalf of strata council of the Bear Creek Estates Strata VR2639, I am writing regarding the use of one home in our development. A homeowner who was affected by the use of the home at 2320 Gondola Way provided information that supports the claim the subject property is being rented for short-term stays. Attached is a link to the AirBnB listing. As you can see from the comments, the owners have been very active.

https://www.airbnb.ca/rooms/3749947?s=_qGh

The home in question was purchased in late June 2014. The new homeowners would have received information from this strata including our bylaws prior to their purchase. Section 35 of our bylaws expressly forbid any rental period less than 30 days and carries a $500 fine for such violation. It is likely the buyer's real estate agent also made them aware the lot was zoned RS1 and was governed by the Municipality's bylaws accordingly. It is unfortunate so early into their ownership they have chosen to breach both strata and muni regulations. To my knowledge, none of the other 46 homeowners in our strata engage in such activity.

If you would be so kind as to send the owners at 2320 a letter informing them of the proper use of their home according to the zoning for their lot, I would certainly appreciate it. It is my opinion your initial letter will negate the need for our strata to impose a fine on the homeowner.

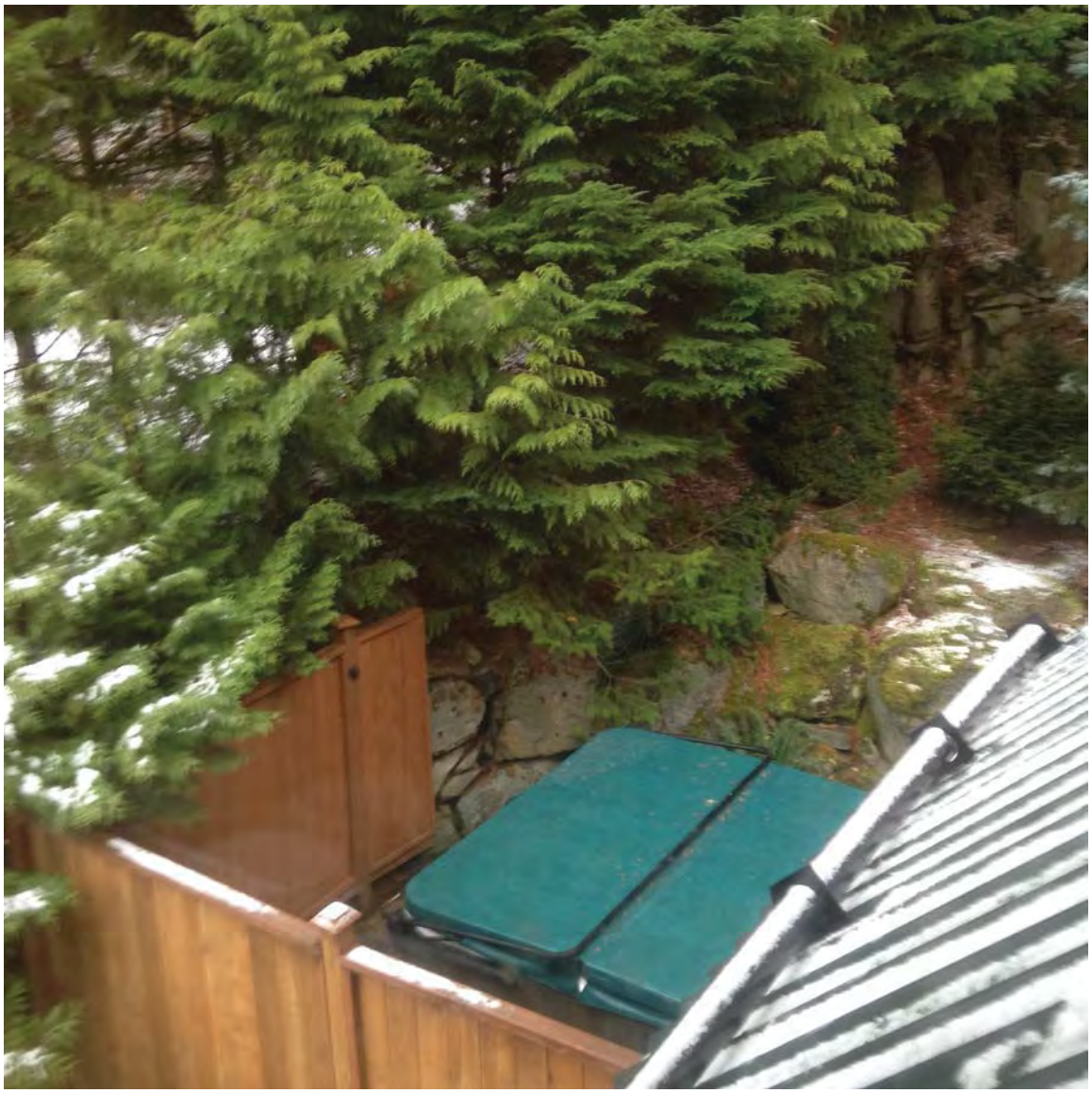
Thank you very much for your time spent on this matter. I would appreciate being kept informed of the situation so I can report back to our strata council.

Sincerely,

Patrick Mitchell
Bear Creek Strata Administrator
604-220-9781

View from livingroom; roof and height reconfiguration will block most of the sky

View from kitchen facing front of house; variance approval of added floor will significantly obstruct sky view



Backyard fence line between 2320 and 2324 Gondola Way; this vantage is from our 2nd floor master en suite. The variance proposal includes a party-sized deck at the third floor level, and extends past the existing retaining wall for 2320. The deck will be positioned in line with where our hot tub is situated. Privacy screening of natural forest is all on the 2320 Gondola Way property and could be removed to make way for the party deck.

View from kitchen; the party-sized deck would be situated beginning at the edge of the current roof and extend past the existing retaining wall. The new roofline would obscure our views of trees and sky. The new large windows on the 3rd floor would create an imposing tower effect.

View from master bedroom. The existing roof would be reconfigured to a suite, with large windows. Noise from the 3rd floor deck and lack of privacy will force us to shutter our blinds and windows even during summer months.

View from master suite. The forest view will be replaced by a 3rd floor suite, new roofline and party deck.

Fourth Letter

Brook McCrady

From: John Bell <ceoafterlife@gmail.com>
Sent: Sunday, December 21, 2014 10:44 PM
To: Brook McCrady
Cc: jasminbell47@gmail.com
Subject: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 1088

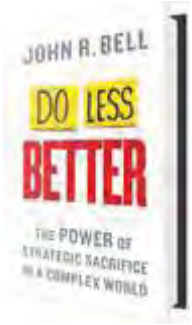
Importance: High

Dear Mr. McCrady,

We are residents of 2328 Gondola Way. We have lived here in Bear Creek since 1994. It has been a wonderful neighborhood in which to reside and over those years we have enjoyed a community of very co-operative home owners. The application to make a major construction change to 2320 Gondola Way is not in the interests of the neighborhood in terms of building esthetics, as well as the rationale for the application.

The variance request, if granted, would create an eyesore within the Strata of 47 single family homes. Each dwelling complements the next, and that was the original the intent of the Strata Plan. Over many years, each of us built to the required specifications and the result is a beautiful, highly livable mountain community. Those who came later and purchased constructed homes did so because of the desirability of the Bear Creek community. The request for variance by 2320 Gondola Way completely contravenes the neighborhood intent – all for the opportunity to increase the financial returns from rental income. In our view this is an inadequate justification for the proposed construction.

We respectfully request that you reject this application. Thank you for your consideration.
John and Jasmin Bell



John Richard Bell

Author, Palgrave Macmillan

Web: DoLessBetter.ca

Blog: CEOafterlife.com

Twitter: @JohnRichardBell

Kirk Hulse

2369 Gondola Way

Whistler, BC V0N 1B2

December 22, 2014

Mr. Brook McCrady

Planning Analyst

The Resort Municipality of Whistler

4325 Blackcomb Way

Whistler, BC V0N 1B4

Cc: Nancy Wilhelm-Morden, Mayor; Councillors Jack Crompton, John Grills, Andrée Janyk, Jen Ford, Sue Maxwell, Steve Anderson

Re: Notice of Development Variance Permit Application N0. 1088 at 2320 Gondola Way – Gugliotta Renovation

As residents Bear Creek Strata, we are writing in regards to the Proposed Variance Permit request 1088 at 2320 Gondola Way. We are opposed to this variance request for the following reasons:

Impact on existing strata lots and homeowners: Whistler Zoning and Parking Bylaw 303 Section 11.12 calls for the maximum permitted height of a building of 7.6 meters. The proposed variance requests an allowed height of 10.01 meters – an additional 2.4 meters. This increased height and related proposed additional construction of increased living space has a significant negative impact on the current views and neighborhood character of existing homeowners on Gondola Way, Snow Valley Place, Los Lenos and Snow Valley.

The increased size of the proposed additional development is not in keeping with current character and street scape of this neighborhood of Bear Creek Strata.

Landscaping Issues: This development imposes on existing landscaping and long standing trees in this neighborhood. The existing green zone in this area contributes to an esthetically appealing and natural environment for all of Bear Creek. Any cutting down of existing trees or change to existing landscaped common property would be a loss to these natural surroundings.

Living Space and Use: The calculation of allowable living space for the proposed additional construction uses the new formula for gross area floor space based on the illegal space task force criteria. The proposed use of that is building outside the current building envelope and triggers a variance permit versus a simple development permit. All other uses of this by law to our knowledge have been to add space within the existing building envelope. This variance permit in our opinion is

something that would be an unwanted precedent for our neighborhood and most likely other developments in Whistler.

We urge you to vote against approval of this development variance permit.

Thank you for your consideration.

Respectfully,

Janice and Kirk Hulse

Sixth Letter

Brook McCrady

From: Peter Roberts <proberts@lawsonlundell.com>
Sent: Tuesday, December 23, 2014 11:42 AM
To: Brook McCrady
Cc: Lynda Roberts (ljr@kmworks.ca)
Subject: Dev. Permit Application No. 1088 - 2320 Gondola Way

Mr. McCrady:

We (my wife Lynda and I) are the property right behind 2320 Gondola Way at 2449 Snow Valley. The requested development at 2320 will likely result in less privacy for our property as it appears the proposed deck will be close to and within sight and sound of our deck. Though 2320 is below the grade of our land, the addition to be made will be near grade and closer to the property line than the current structure. Over the holiday, we hope to go down to meet our new neighbour and get a better sense of the proposal as the drawings included in the notice are in extremely tiny font and do not show the back view of the home as built and as to be renovated. If we do that, I may send you further comments.

In the meantime, one possible ameliorating step would be to put in more vegetation at the back of 2320 to screen both properties better from each other.

Thanks.

Peter J. Roberts | Partner
D 604.631.9158 | **F** 604.641.4400 | **E** proberts@lawsonlundell.com
LAWSON LUNDELL LLP 1600 - 925 West Georgia Street, Vancouver, BC V6C 3L2
Vancouver | Calgary | Yellowknife

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Seventh Letter

Brook McCrady
Planning Analyst
Whistler Municipal Hall
Whistler, BC V0N 1B0

January 1, 2015

Re: Development Variance Permit Application 1088
2320 Gondola Way

Strata Management Comments

Dear Mr. McCrady

Thank you for arranging to have the drawings provided for the above noted Development Permit. These have been viewed by our Strata council and by me. With new projects and renovations, we are looking for general compliance with our development's original design guidelines - though these were not exhaustive in scope. The proposal at hand has some important considerations I feel overshadow our design review objectives that should be mentioned.

Following our strata's recent Annual General Meeting several residents expressed concerns regarding the proposed renovations to the subject home. Neighbours in close proximity to the home expressed their concern the additional height would create "overlook" into their yards, restrict views and create a structure not cohesive with the current design of the house. I believe you will hear from them individually.

Of equal importance, the bylaws of Bear Creek Strata prohibit rentals for periods less than 30 days, essentially mimicking the RMOW's RS-1 restrictions. This bylaw provision is very important to the homeowners in Bear Creek. Following a

complaint in the summer it came to the Strata's attention that 2320 Gondola Way was listed on Air BnB. Nancy Johnston at RMOW Bylaw Control sent a letter to the owners of the home but no reply was received. The Air BnB listing disappeared in the autumn but a new listing has now been posted. The Strata is concerned the proposed increase in living area may be intended for a use other than homeowner use and enjoyment.

Bear Creek Strata welcomes renovations and improvements to homes within our community and we appreciate the opportunity to review proposals. With regards to 2320 Gondola Way, we would like to have the above concerns addressed prior to providing our support for this application.

Sincerely,

Patrick Mitchell
administrator

Bear Creek Estates Strata VR 2639
2306 Gondola Way, Whistler

Eighth Letter

Lynda & Peter Roberts
2449 Snow Valley Place
Whistler, B.C.
V0N 1B2

January 5, 2015

BY EMAIL: bmccrady@whistler.ca

Resort Municipality of Whistler
4325 Blackcomb Way,
Whistler, B.C.
V0N 1B4

Attention: Brook McCrady, Planning Analyst

Re: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 1088

We bought our home in Bear Creek Estates in May 2014. Unlike most houses in Bear Creek, our lot does not have a view into the valley as a result of its location and geography. The result is that our home is, instead, very private and hidden from all the properties and houses around us, despite their closeness. In particular, the living room of our house and its adjoining deck are hidden from the neighbouring properties and are quiet and peaceful. This is because the lots in front of us, including 2320 Gondola Way, are below the grade of our land and do not have any windows or decks facing our property. One of the reasons we decided to buy in Bear Creek was that this would likely always be the case because the strata rules and RMOW bylaws would maintain a cohesive streetscape of similar homes and architecture.

We recently received notice of an application for a variance at 2320 Gondola Way that will see the addition of rooms and a deck to the back of the house. Having now considered this application in more detail, we write to register our opposition to this application. In short, the construction of the proposed variance will destroy the privacy of our lot immediately behind 2320 Gondola Way. There will be windows and a deck that are at or near the grade of our property and which will look directly onto our deck and living room. Anyone sitting on the back deck of 2320 Gondola Way will both see and hear us on our deck. It will also likely limit the amount of light coming in to our property.

Further, a search on the web reveals that 2320 Gondola Way is expected to be the subject of vacation rentals. This makes it even more likely that people using the property will be loud and boisterous as they have no long term commitment to harmony in the neighbourhood. This will negatively impact us and likely also our full-time tenants, a young couple both of whom work for local Whistler businesses.

Based on the drawings, it appears, the home at 2320 Gondola Way is effectively being turned into a multi-room apartment, not a single family dwelling. If the drawings are accurate, it is also very unattractive.

The owners of 2320 Gondola Way are new purchasers in the area. Unlike a long-time owner whose personal circumstances may have changed warranting serious consideration of a variance application, the Gugliotas bought 2320 Gondola Way knowing the configuration of the home and its limitations. To allow them to change the exterior of the home and make it considerably bigger is a hardship to all the neighbours and sets a bad precedent. The proposed height increase is very imposing to the adjoining properties and the general tenor of the street.

For all these reasons, we strongly oppose the development variance permit application for 2320 Gondola Way.

Yours Truly,

Lynda Roberts & Peter Roberts

cc: Patrick Mitchell, Manager, Bear Creek Strata - bearcreekmgr@gmail.com

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-004
FROM:	Resort Experience	**FILE:**	DVP 1089
SUBJECT:	DVP 1089 – 8160 CRAZY CANUCK DRIVE – PARKING SETBACK VARIANCE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council approve Development Variance Permit 1089 to vary the parking setback from 1.5 metres to 0 metres from the parcel boundary as shown on the site plan prepared by Tia Tait, date stamped received September 2, 2014 and attached to Administrative Report 15-004 as Appendix B.

REFERENCES

Location: 8160 Crazy Canuck Drive

Legal: Lot 27, Plan BCS3123, District Lot 7302, NWD

Owner: Gillian Mitchell and Juan Pineda

Zoning: CD1

Appendices: "A" - Location Plan

"B" – Site Plan

PURPOSE OF REPORT

This report seeks Council's approval of Development Variance Permit Application 1089, a request to vary the parking setback at 8160 Crazy Canuck Drive to enable conversion of the existing garage to a living room/playroom.

DISCUSSION

Background

The subject parcel is located in the Rainbow Neighbourhood at 8160 Crazy Canuck Drive as shown in the location plan in Appendix A. There is an existing duplex dwelling that was approved by Development Permit #1083 issued June 2009. This permit approved a variance to the parking requirements, allowing the requirement to be reduced to one parking stall for the property. The applicant would like to convert the existing single car garage into a living room and play room. A new surface parking space would be created to provide the one parking space required by the original development permit #1083 issued June 2009 for the duplex. Parking spaces are required to be 1.5 metres from any parcel boundary so the variance request will be to vary the parking setback from 1.5 metres to 0 metres from the parcel boundary.

DVP Criteria

Staff have developed internal evaluation criteria for DVP applications. The table below shows how DVP 1089 compares to these criteria.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood.	No impact to the streetscape and neighbourhood.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	Works with existing building footprint.
Maintains or enhances desirable site features, such as natural vegetation trees and rock outcrops.	Not applicable.
Results in superior siting with respect to light access resulting in decreased energy requirements.	Not applicable.
Results in superior siting with respect to privacy.	Not applicable.
Enhances views from neighbouring buildings and sites.	Not applicable.

Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	Existing site conditions will not change and no impact on neigbhourhood character. Driveways are permitted to be 11 metres wide and this driveway will be narrower than 11 metres.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	Not applicable.
Requires extensive site preparation.	Not applicable.
Substantially affects the use and enjoyment of adjacent lands. (e.g. reduces light access, privacy, and views.	Does not impact use and enjoyment of adjacent lands.

Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	Not applicable.
Requires a height variance to facilitate gross floor area exclusion.	Not applicable.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations.	Crazy Canuck Drive is a strata road.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected.	Building footprint remains the same with the garage to living room conversion and a new storage area being built under the existing deck.

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

OTHER POLICY CONSIDERATIONS

The Local Government Act, through Section 922, allows Council to vary regulations contained in the Zoning Bylaw by way of a development variance permit. This proposal is consistent with criteria established for consideration of development variance permits.

BUDGET CONSIDERATIONS

There are no significant budget implications with this proposal. Development Variance Permit application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP 1089 has been posted on the property since the application was made in September 2014. Notices were sent to surrounding property owners in December 2014.

SUMMARY

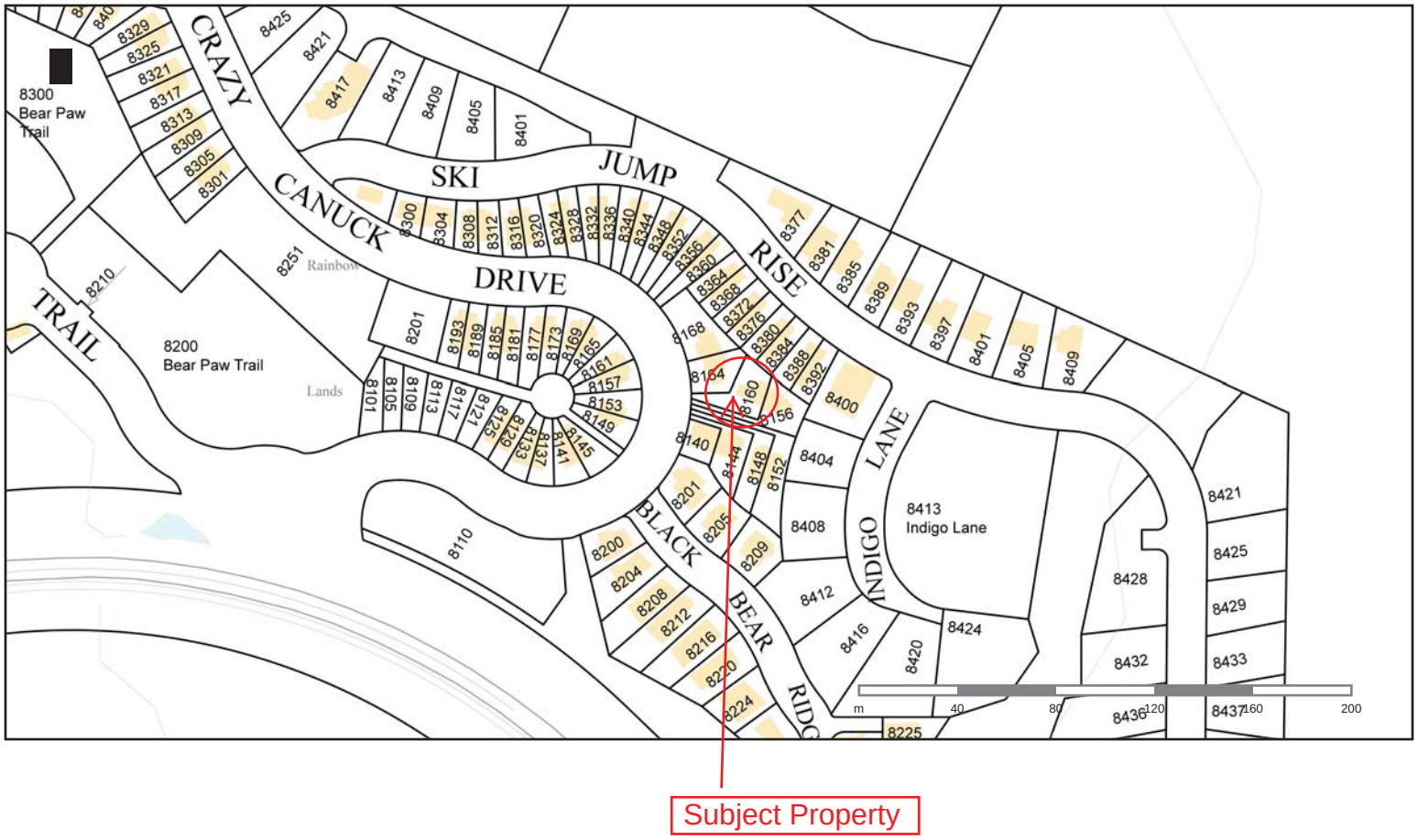
Development Variance Permit 1089 proposes a variance to “Zoning and Parking Bylaw 303, 1983” for a parking space setback.

Respectfully submitted,

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

APPENDIX A

LOCATION PLAN



Subject Property

Drawing List

A-1.1	Site Plan
A-2.1	Foundation & Lower Floor Plans (Existing & Proposed)
A-2.1a	Lower Floor Area (Existing & Proposed)
	Basement Exclusion Calculation
	Construction Details
A-2.2	Main Floor Plans (Existing & Proposed)
	Upper Floor Plan (Existing - for reference ONLY)
A-3.1	Building Elevations (Existing & Proposed)
A-4.1	Building Sections (Existing & Proposed)
	Limiting Distance calculations, Schedule
A-5.1	Window Sequencing Details

Development Stats

Occupancy : Residential Group C

EXSISTING BUILDING PERMIT STATISTICS

LOT 27
Civic Address: 8180 Crazy Canuck Drive, Whistler, BC

Legal: Parcel Lot 5, D.L. 7302, New Westminster District, BCS3123
PID= 027-669-999
Zone: CD1 (Comprehensive Development 1)

Site Area: 355 sq.m. (3821 sq.ft.)

Gross Floor Area Permitted: 115 sq.m. (1238 sq.ft.)

Gross Floor Area: 114 sq.m. (1226 sq.ft.)

Lower	**5.3 sq.m.**
Main	**65.0 sq.m.**
Upper	**43.7 sq.m.**
Total G.F.A.	**114.0 sq.m.**

PROPOSED BASEMENT EXCLUDED STATISTICS

Gross Floor Area: 114 sq.m. (1226 sq.ft.)

Lower	**0.0 sq.m.**
Main	**65.0 sq.m.**
Upper	**43.7 sq.m.**
Calculable G.F.A.	**108.7 sq.m.**

BASEMENT EXCLUSION AREA (NOT INCLUDED IN GFA)

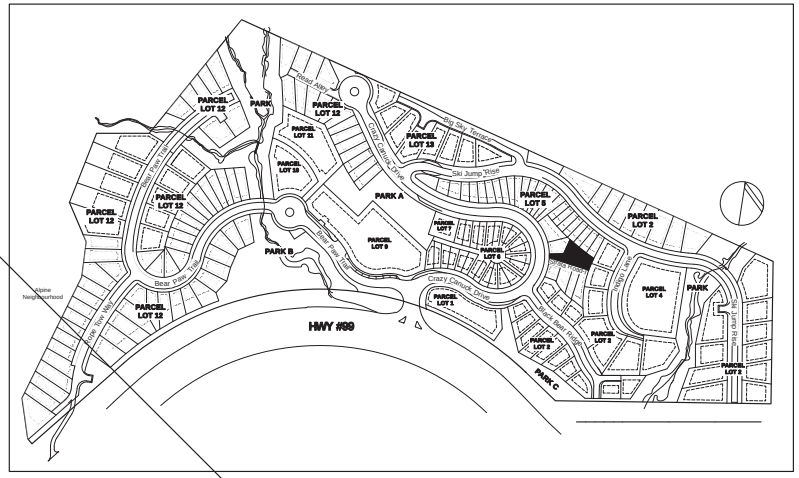
Lower	**42.1 sq.m.**
Mechanical	**8.9 sq.m.**

Designed Under Part 9 2012 BC Building Code

GENERAL INFORMATION:

NOTES

1. DO NOT SCALE DRAWINGS.
2. VERIFY ALL FIXTURE DIMENSIONS AND REQUIRED CLEARANCES BEFORE FRAMING WALLS. (INCL. CABINETS, LOCKERS, MILLWORK ETC.)
3. ALL DIMENSIONS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. REPORT ANY DISCREPENCIES TO THE DESIGNER.
4. ALL DIMENSIONS TO FACE OF CONCRETE OR FACE OF STUD UNLESS NOTED OTHERWISE.
5. DOORS IN STUD WALLS TO BE LOCATED 2 1/2" FROM ADJACENT WALL TO ROUGH OPENING (TYP.)
6. SEE STRUCTURAL DRAWINGS FOR ALL FRAMING MEMBERS.
7. ALL FLASHING C/W FOLDED END DAMS

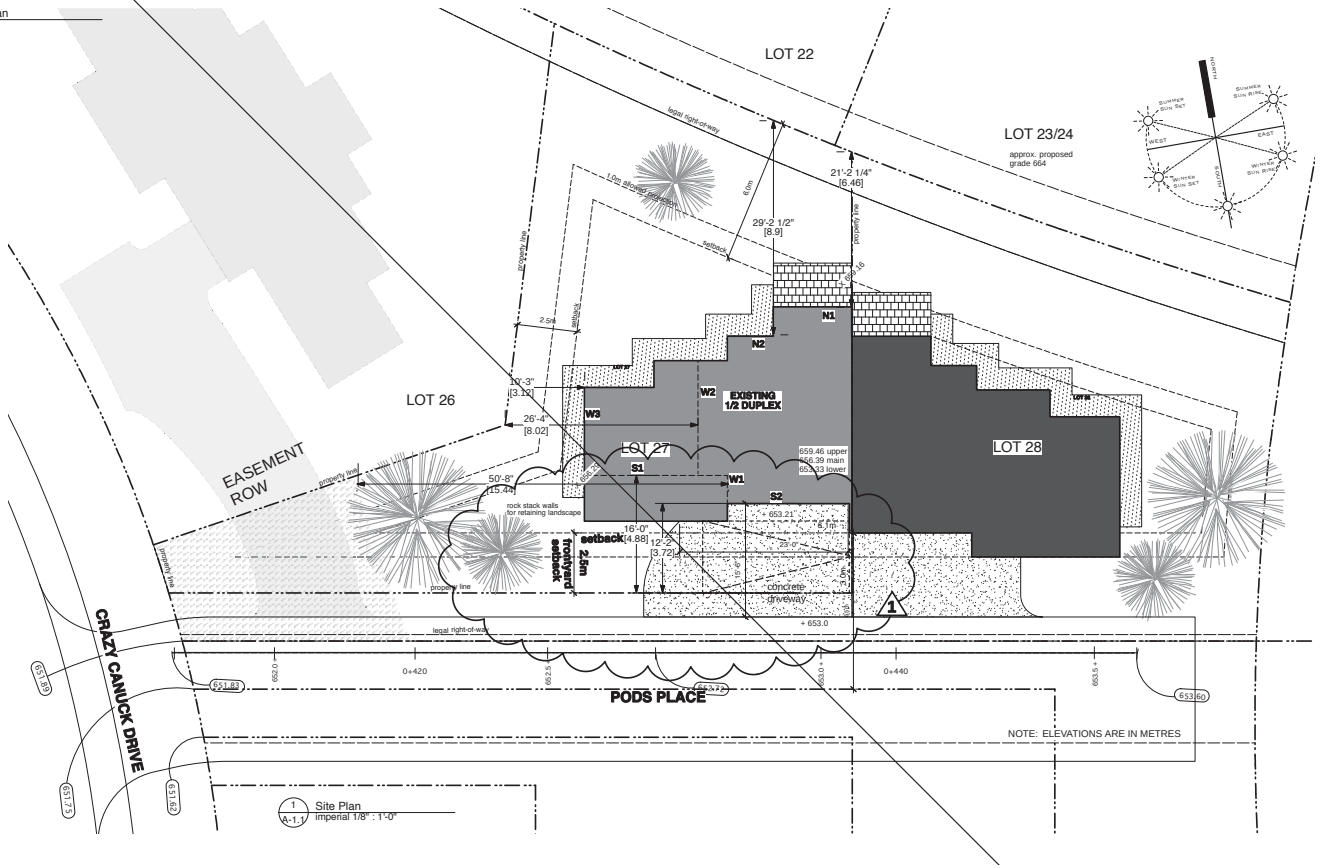


2 Key Plan (A-1.1) 1 : 2500

Limiting Distance

All numbers in meters

Elevation	N1	N2	W1	W2	W3	S1	S2
Exposing Building Face (m2)	11.1	11	3.4	5.8	6.6	27.9	43.9
Unprotected Openings (m2)	1.0	2.4	0.8	0.9	0.9	7.2	11.0
% Unprotected Opening	**9.0%**	**21.8%**	**22.1%**	**15.5%**	**13.6%**	**25.8%**	**25.1%**
Max.% Permitted Unprotected Opening	**41.0%**	**79.2%**	**100%**	**64.0%**	**26.6%**	**61.0%**	**26.3%**
Limiting Distance (m)(9.10.14.1) (Distance to Property Line)	**6.4**	**8.9**	**15.4**	**8.0**	**3.1**	**4.9**	**3.7**
Limiting Distance squared 9.10.15.4.1) c	**41.0**	**79.2**	**237.2**	**64.0**	**9.6**	**23.8**	**13.8**



1 Site Plan (A-1.1) Imperial 1/8" : 1'-0"

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Issued For:	Date:
REVIEW	25.AUG.2014
DVP	26.AUG.2014
BUILDING PERMIT	14.SEPT.2014

No:	Revision:	Date:
1.	DVP parking	06.DEC.2014

Title: Site Plan - PL5, Lot 27 & 28
The Talus
Project: **Rainbow Phase II**

Drawn By: Tia Tait

Scale: as shown

Project No: 14-P-01

Sheet No: A-1.1

A-1.1 Site Plan - PL5, Lot 27 & 28

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-005
FROM:	Resort Experience	**FILE:**	DVP 1093
SUBJECT:	DVP 1093 – 4280 MOUNTAIN SQUARE – LONGHORN SIGN VARIANCES		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council approve Development Variance Permit DVP 1093 for two proposed signs for the Longhorn, located at 4280 Mountain Square to:

1. Install a third fascia sign for the Longhorn on the south frontage of the building; and
2. Install a projecting sign for the Longhorn on the east elevation of the building

as shown on the Sign Drawings prepared by 3DS/Three Dimensional Services Inc., dated Sept. 29, 2014 attached as Appendix "B" to Administrative Report No. 15-005.

REFERENCES

Location:	4280 Mountain Square
Legal:	Common Property Strata Plan VAS1163
Owner:	Strata Plan VAS1163
Zoning:	CC1 (Commercial Core One)
Appendices:	"A" Location Map
	"B" Sign Drawings
	"C" Correspondence from neighbours

PURPOSE OF REPORT

This report seeks Council's consideration for variances to "Sign Bylaw No. 558, 1987" for two signs for the Longhorn, located at 4280 Mountain Square. As per the Sign Bylaw, sign variances require a Development Variance Permit.

DISCUSSION

The recently renovated Carleton Lodge just updated their comprehensive sign plan, a plan showing the number, design, appearance and location of all proposed signage on the building, to coordinate with the new aesthetic enhancements to the building, facilitate new functionality, and optimize visitor experience.

The proposed location of two proposed signs identified in the comprehensive sign plan for the Longhorn require variances to "Sign Bylaw No. 558, 1987" as described below:

Variance Request	Rationale for Variance Request	Sign Bylaw No. 558, 1987
1. Install a third fascia sign for the Longhorn on the south frontage of the building.	This sign could be permitted by the Sign Bylaw if were proposed as a hanging sign, however, a fascia sign on the kiosk fascia is considered to be more appropriate for clearance reasons above the patio. The proposed fascia sign will also be consistent with the proposed fascia sign for the adjacent business sharing the kiosk on this frontage, for improved coordination.	Section 4.1 – Number of Signs states: A maximum of two permanent signs per business are permitted per business frontage and in addition, the following signs: (a) Freestanding signs as permitted by this Bylaw; (b) Temporary permitted signs as permitted by this Bylaw; (c) Signs which do not project over public property and are visible only from within the boundaries of the property; (d) One hanging sign as permitted by this bylaw.
2. Install a projecting sign for the Longhorn on the east elevation of the building.	The Longhorn previously had a fascia sign at the east breezeway entrance, however, under the current Sign Bylaw, a sign at this location is not permitted. The late night entrance into the Longhorn is accessed from the east breezeway entrance. A sign in this location will assist with wayfinding for late night customers. The proposed projecting sign is 0.53 sq. m. in area, (5.7 sq. ft.), less than the allowable 0.6 sq. m. area permitted for a projecting sign.	Section 4.7 – Location states: 4.7.1 Unless otherwise provided by this Bylaw, a sign for a business premises may only be erected or placed on that side of the building fronting a street and on that portion of the building façade related to the area of the building occupied by the business or activity to which the sign relates.

The detailed drawings for the proposed signs are attached as Appendix “B”.

The design of the signs is consistent with the overall design, quality and size of signs contained in the updated comprehensive sign plan for the Carleton Lodge.

DVP Criteria

Staff have developed internal evaluation criteria for DVP applications. The table below shows how DVP 1093 compares to these criteria.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood.	The proposed signs are coordinated with the architectural features of the Carleton Lodge and are consistent with the overall design, quality and size of signs contained in the updated comprehensive sign plan for the Carleton Lodge.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	Not applicable.
Maintains or enhances desirable site features, such as natural vegetation trees and rock outcrops.	Not applicable.
Results in superior siting with respect to light access resulting in decreased energy requirements.	Not applicable.
Results in superior siting with respect to privacy.	Not applicable.
Enhances views from neighbouring buildings and sites.	The proposed signs are coordinated with the architectural features of the Carleton Lodge and are consistent with the overall design, quality and size of signs contained in the updated comprehensive sign plan for the Carleton Lodge.

Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	The proposed signs are coordinated with the architectural features of the Carleton Lodge and are consistent with the overall design, quality and size of signs contained in the updated comprehensive sign plan for the Carleton Lodge.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	Not applicable.
Requires extensive site preparation.	Not applicable.
Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, and views).	Not applicable.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	Not applicable.
Requires a height variance to facilitate gross floor area exclusion.	Not applicable.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).	No unacceptable impacts.

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.	The proposed signs are coordinated with the architectural features of the Carleton Lodge and are consistent with the overall design, quality and size of signs contained in the updated comprehensive sign plan for the Carleton Lodge.
	Building design and construction is characterized by efficiency and durability.	Sign design and materials have been detailed to be durable.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
N/A	N/A	N/A

OTHER POLICY CONSIDERATIONS

Section 922 of the *Local Government Act* enables Council to vary regulations contained in a sign bylaw by way of a Development Variance Permit.

BUDGET CONSIDERATIONS

There are no budget implications with this proposal. Development Variance Permit application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP 1093 is posted on the property.

Notices were sent to surrounding property owners in December 2014. At the time of writing this report, one letter of correspondence had been received from a neighbouring business, attached as Appendix C, indicating that if DVP 1093 is approved that they would expect the same considerations for their business.

SUMMARY

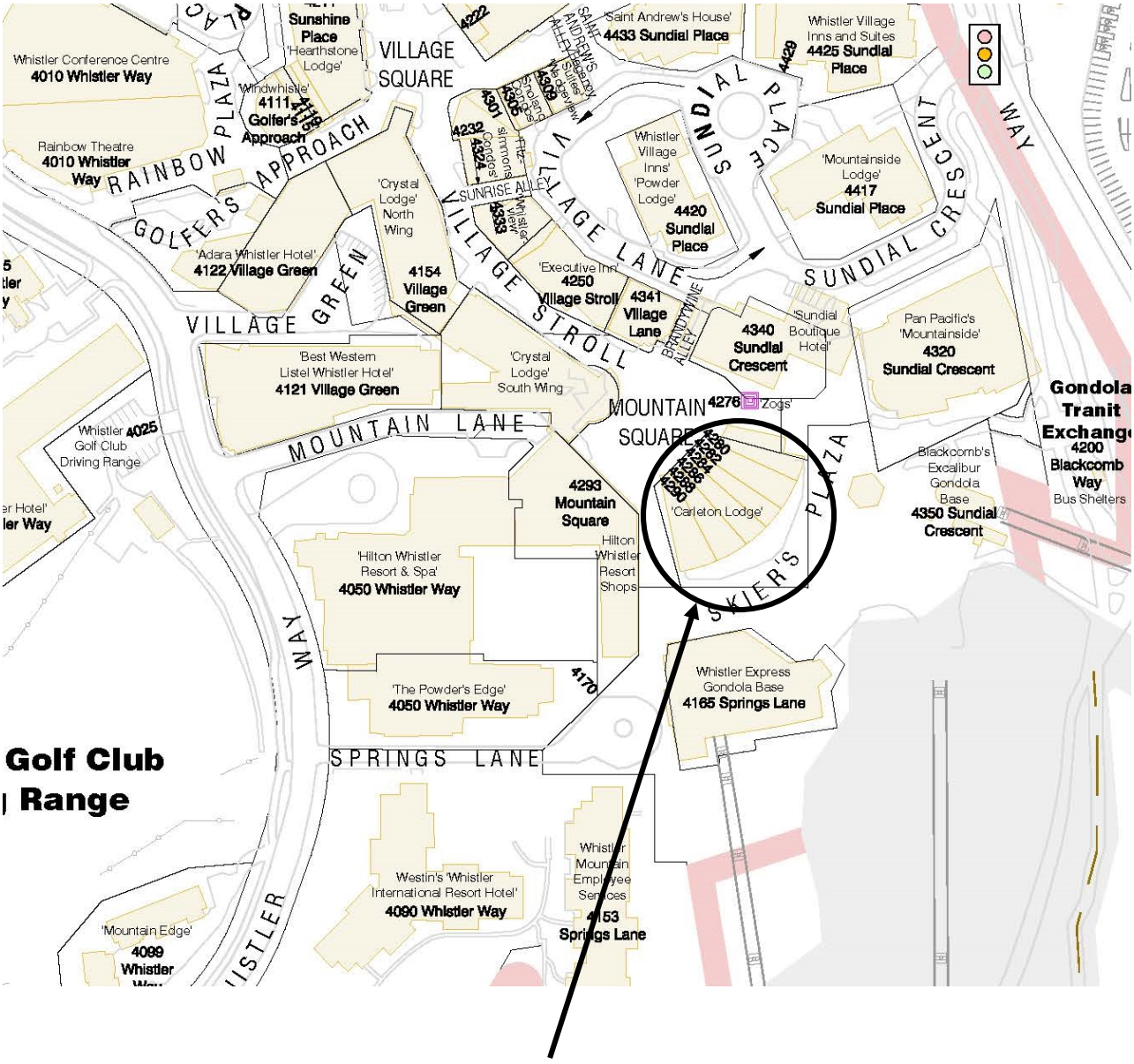
Development Variance Permit DVP 1093 proposes variances to "Sign Bylaw No. 558, 1987" for two signs for the Longhorn, located at 4280 Mountain Square, for Council's consideration.

Respectfully submitted,

Melissa Laidlaw
SENIOR PLANNER, PLANNING DEPARTMENT
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX A

LOCATION MAP



SUBJECT LANDS

11/ Site Plan / Sign Locations

PLEASE NOTE: Some CRU signs shown here may be subject to change of sign type and/or location.
ALSO: 2 fascia signs permitted per business license for businesses 5, 6, 7 & 10.

PERMANENT SIGNS:

1/ Lodge Identification

***a & b** / Breezeway - Hanging*
***c**/ On Roof Gable*

2/ Residential Entrance

3/ Sales (WB)

***Winter** / Whistler Heli-Skiing*
***Summer** / WB Logo Store*

4/ Longhorn Saloon

5/ Ski School Sales

6/ Rentals (WB)

***Winter** / Ski & Snowboard*
***Summer** / Bikes*

7/ Retail (WB)

***Winter** / Accessories*
***Summer** / Bike shop*

8/ New Retail A (TBD) (WB)

9/ New Retail B (TBD) (WB)

10/ Food & Beverage (WB)

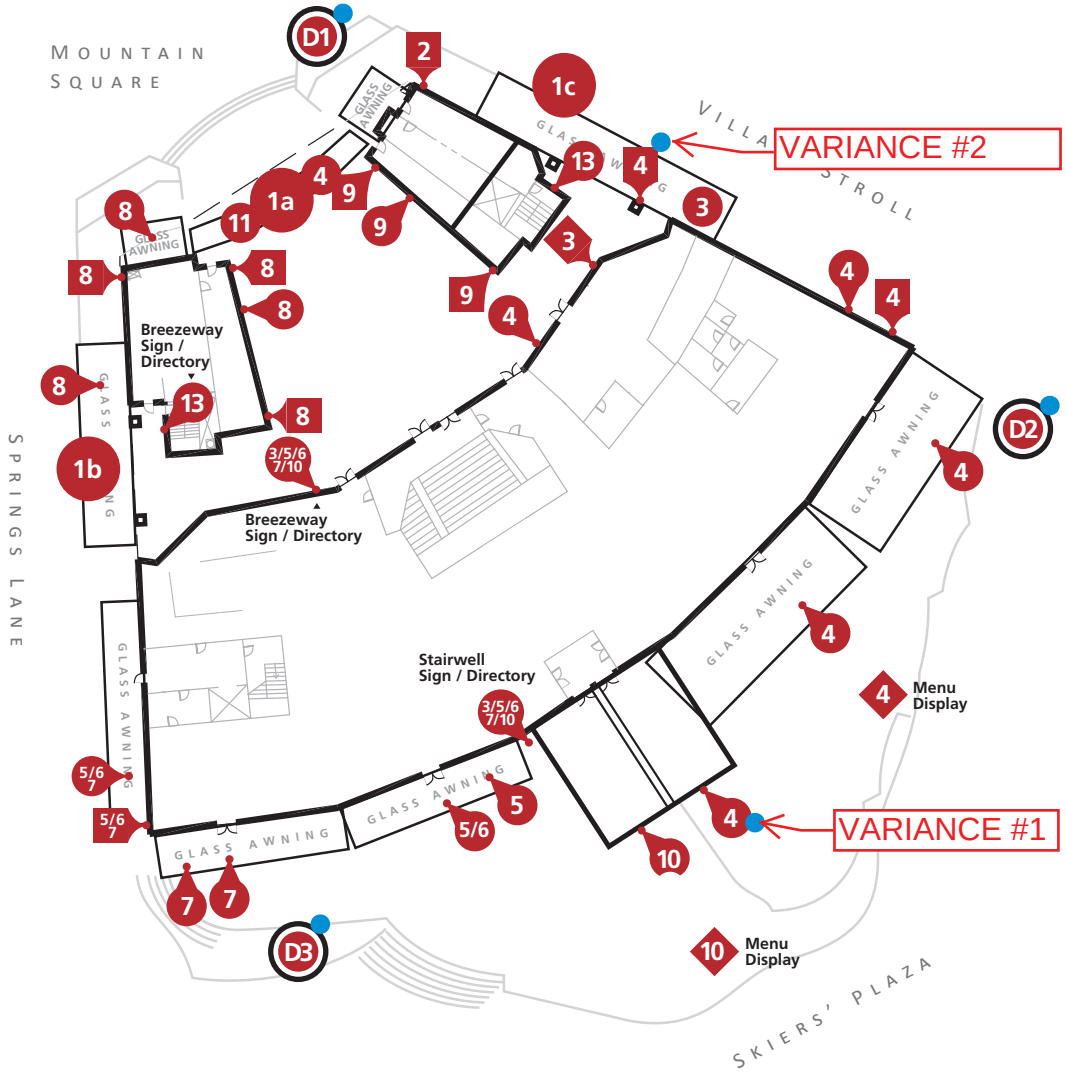
11/ WB General

12/ Extremely Canadian

(Subject to change)

13/ Building Directory / Downstairs Retail & Services:

3 - 4 Businesses
Public Washrooms



Signs under glass awning are suspended from horizontal crossbeam, as iindicated by each locator point. All other signs are affixed directly to building fascia.

FASCIA or HANGING Sign

PROJECTING Sign

FREE-STANDING Sign

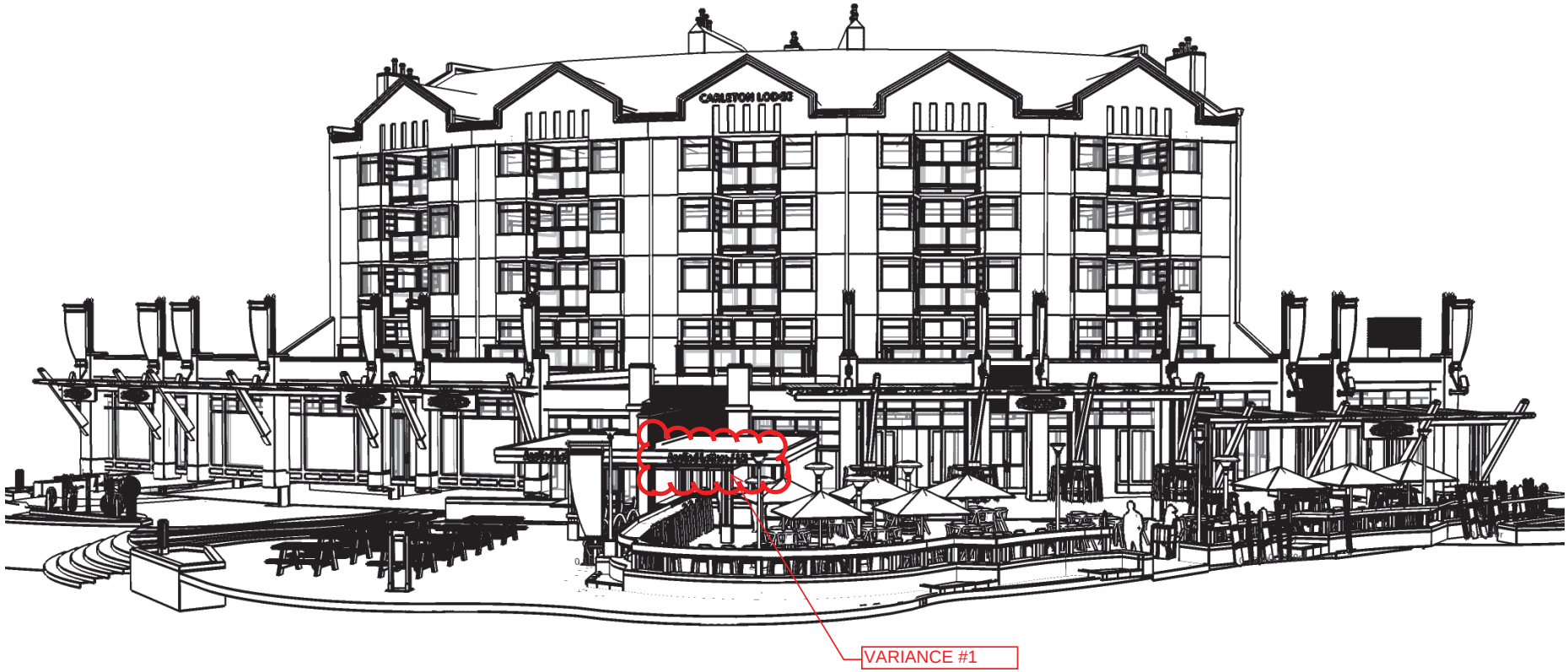
DIRECTORY

(Directory sign & location TBD, subject to development variance permit approval)

(These signs subject to development variance permit approval)

9/ Kiosk Canopy Signs

These signs indicate the WB and Longhorn sides of the Skiers' Plaza F&B kiosk and consist of dimensional letters, approximately 30.5 cm (1') tall, raised off the roof edge of the kiosk canopy. Materials & lighting are TBD and will be complementary to the building architecture. Signs for both businesses will be consistent in size & placement.

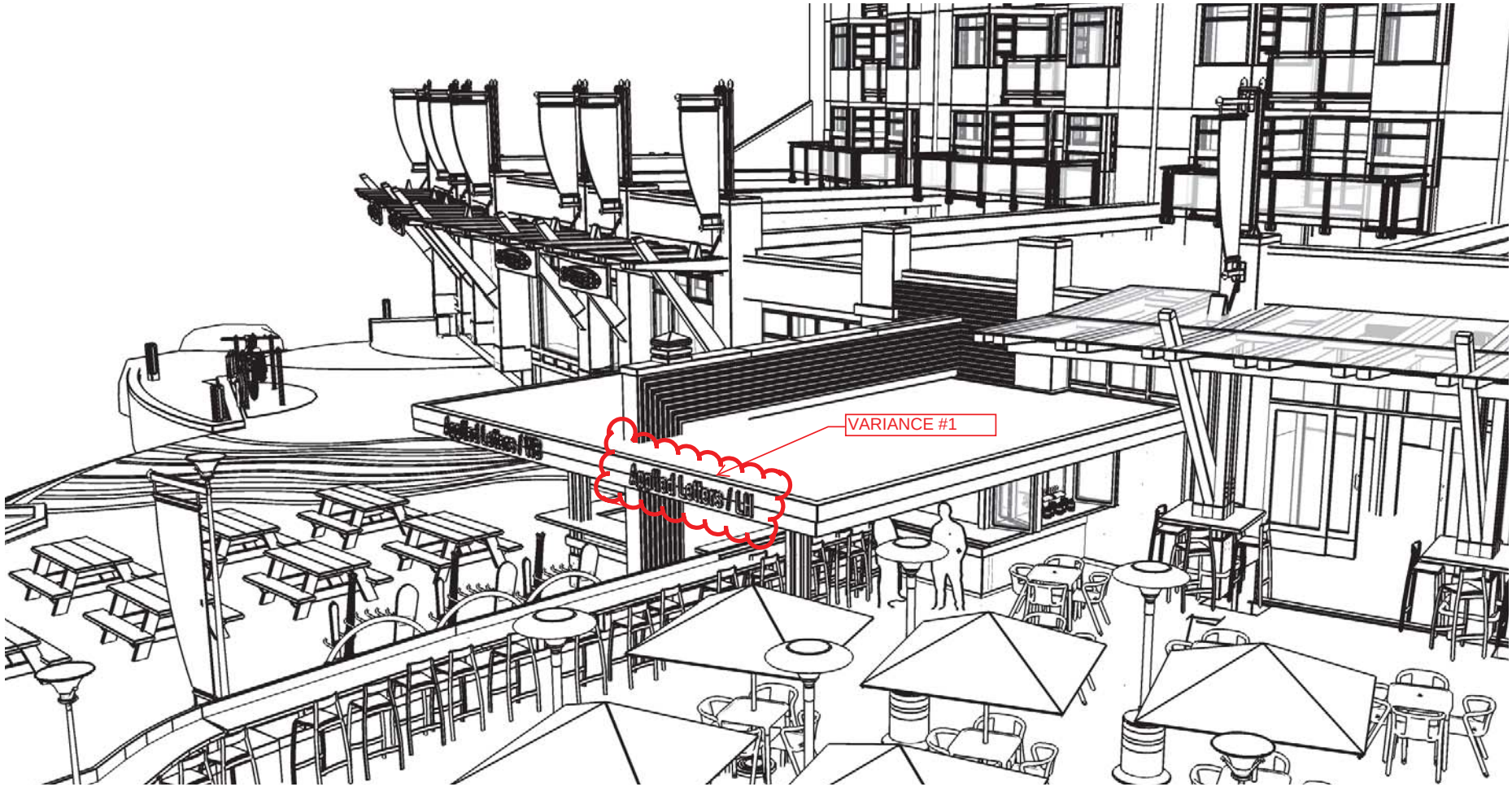


3DS / THREE DIMENSIONAL SERVICES INC.
2829 Norland Avenue Burnaby, British Columbia, Canada V5B 3A9
604.980.2450 TOLL-FREE: 1.877.485.8187 | www.3dservices.com

WHISTLER / CARLETON LODGE
Skiers' Plaza

DATE: 25 / 09 / 2014
REVISION: DD / MM / YY
DESIGN: DAVE WEBBER

DRAWING No.
SI-08.02

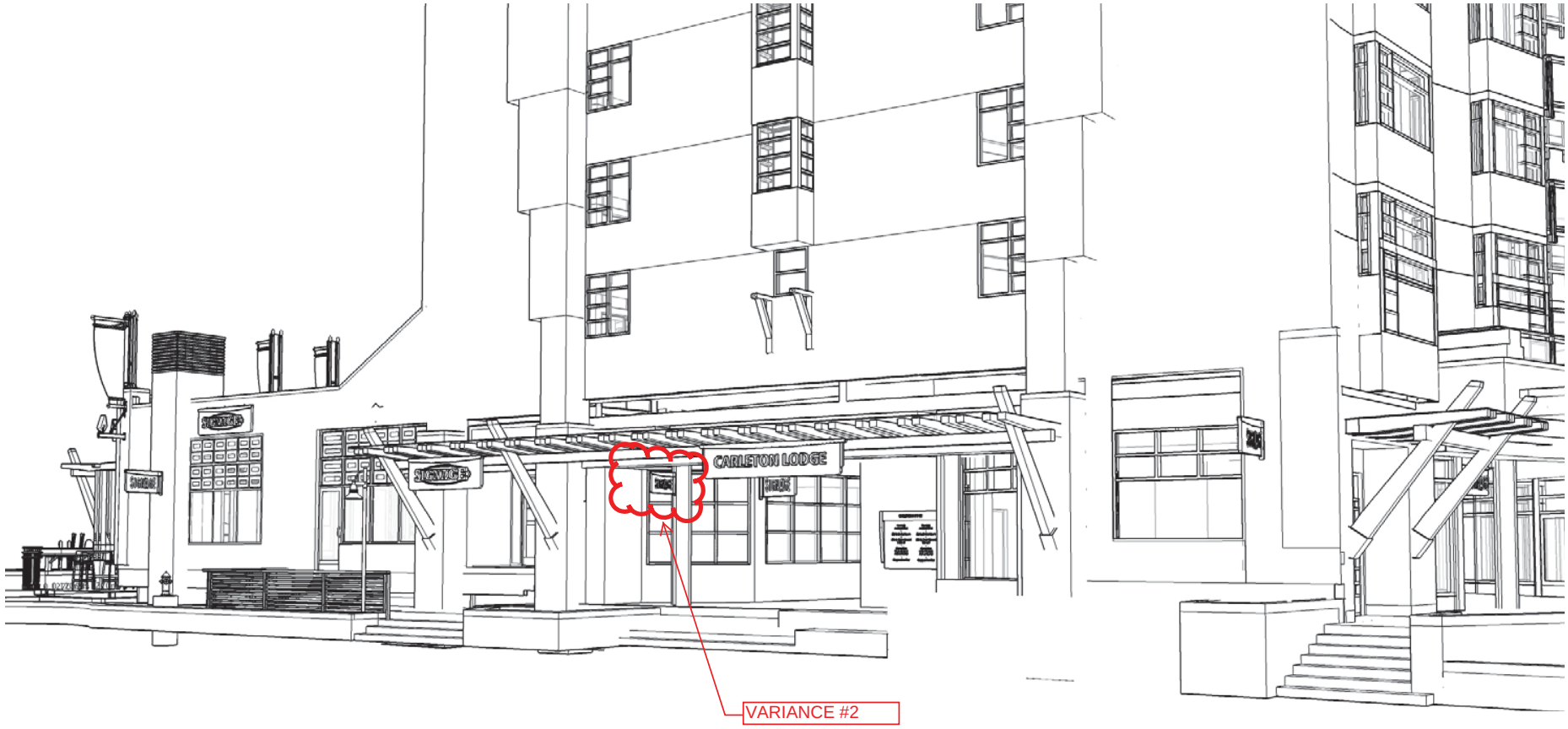


3DS / THREE DIMENSIONA L SERVICE S INC.
2829 Norland Avenue Burnaby, British Columbia, Canada V5B 3A9
604.980.2450 TOLL-FREE: 1.877.485.8187 | www.3dservices.com

WHISTLER / CARLETON LODGE
Skiers' Plaza / Longhorn F&B Kiosk

DATE: 25 / 09 v / 2014
REVISION: DD / MM / YY
DESIGN: DAVE WEBBER

DRAWING No.
SI-13.02



3DS / THREE DIMENSIONA L SERVICE S INC.
2829 Norland Avenue Burnaby, British Columbia, Canada V5B 3A9
604.980.2450 TOLL-FREE: 1.877.485.8187 | www.3dservices.com

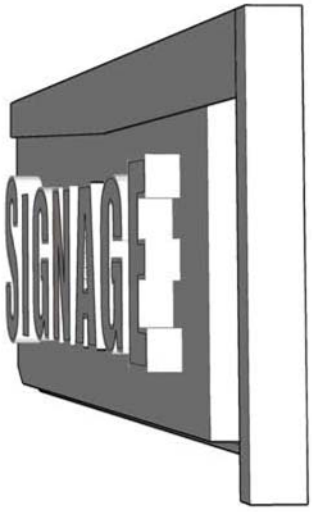
WHISTLER / CARLETON LODGE
East Entrance

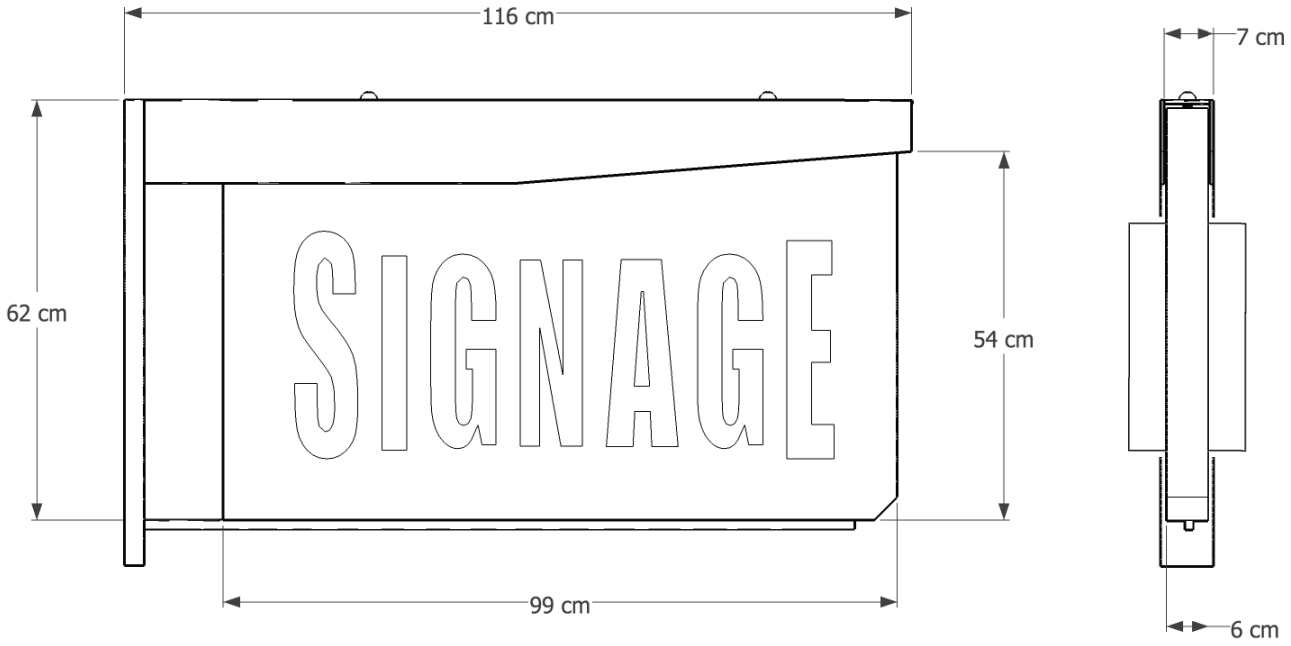
DATE: 29 / 09 / 2014
REVISION: DD / MM / YY
DESIGN: DAVE WEBBER

DRAWING No.
SI-03.03

Retail Signage *(Cont.)*

PROJECTING SIGNS: A two-sided projecting sign may be mounted with the specified sign bracket on a wall, in front of each business. Please Note: These measurements represent only the outside envelope of the sign only. Tenants will have the same design freedom with the format as with the fascia signs. All signs should be mounted at storefront level (4 m) to emphasize visual appeal and to retain the scale of pedestrian space. All sign designs must leave a minimum 9 cm margin around sides and bottom edges of the basic panel and 6 cm margin at the top.





Melissa Laidlaw

From: Lloyd Daser <lloyd.daser@panpacific.com>
Sent: Wednesday, December 17, 2014 3:24 PM
To: Melissa Laidlaw
Cc: jgibbons@gibbonshospitality.com; Peter Laurie
Subject: Development Variance Permit Application No. 1093

Hi Melissa,

I am in receipt of the notice for the Development Variance Permit Application No. 1093 for the Longhorn .

Although in principle I support their application for their additional signage and a projecting sign, if approved, I just want to ensure that our establishment (Dubh Linn Gate Irish Pub) will be given the same consideration for any application on our part that would immediately follow. I understand from my predecessor that when we did our patio expansion in 2011 that a similar request for additional signage, and/or branded flags along the patio was turned down. Visibility is a big issue for all of us, and as the Longhorn is a direct competitor to us, we would expect to be allowed the same consideration and visibility from sight lines in Skiers Plaza and the Village Stroll.

Any thought you might have on this would be appreciated.

Best Regards

Lloyd Daser | General Manager,
Panpacificwhistler.com | dubhlinngate.com | Offers

Pan Pacific Whistler
4320 Sundial Crescent, Whistler, BC V0N 1B4
T:+1 604 905 6503 | F: +1 604 905 2995 | lloyd.daser@panpacific.com

Recommended on TripAdvisor

Global Hotel Alliance (GHA) is the world´s largest alliance of independent hotel brands. GHA currently
includes brands such as Anantara, Art Series, Doyle Collection, First, Kempinski, Individual Collection, Leela, Lungarno Collection, Marco Polo, Mokara, Omni, Pan Pacific, PARKROYAL, QT, Rydges, Shaza, Tangram and Tivoli encompassing over 330 upscale and luxury hotels with over 75,000 rooms in 57 different countries. To book or for further information visit www.gha.com.

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GREEN KEY Eco-Rating Program
This property is a member of the Green Key Eco-Rating Program and has been Green Key Certified with a 4-Key Rating.
Please consider the environment before printing this email.

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-006
FROM:	Resort Experience	**FILE:**	DVP 1094
SUBJECT:	DVP 1094 – 3804 SUNRIDGE PLACE – FRONT SETBACK VARIANCE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council approve Development Variance Permit 1094 to vary the front setback from 7.6 metres to 5 meters for the existing basement space of the detached dwelling as shown on the Basement Media Plan, Sheet A1.02, dated October 22, 2014 and attached to Administrative Report No. 15-006 as Appendix B.

REFERENCES

Location: 3804 Sunridge Place

Legal Description: Strata Lot 8, District Lot 4750, Strata Plan LMS2202, NWD

Owners: Whistler Slopes Investment Corporation

Zoning: RT6 (Two Family Residential Six)

Appendices: "A" – Location Plan

"B" – Proposed Plan

PURPOSE OF REPORT

This report seeks Council's approval of Development Variance Permit Application DVP 1094, a request to vary the minimum permitted front setback from 7.6 metres to 5.0 metres for a basement/media room.

DISCUSSION

The subject property is located in the Sunridge subdivision at 3804 Sunridge Place as shown on Appendix A. The detached dwelling is existing and the basement area was permitted in the original building permit. There is an existing Section 219 covenant for an overheight crawlspace portion of the basement that cannot be used at this time. The client would like to remove the overheight crawlspace covenant to allow for the use of the full basement area. To use this additional basement area a front setback variance is required as only a garage can be 5 metres from the front property line. The proposed front setback variance would vary the minimum permitted front setback from 7.6 metres to 5.0 metres. The basement area is completely underground and under the existing garage. There will be no impact to the existing streetscape and the basement area is not visible as it is underground.

DVP Criteria

Staff have developed internal evaluation criteria for DVP applications. The table below shows how DVP 1094 compares to these criteria.

Potential Positive Impacts	Comment
Complements a particular streetscape or neighbourhood.	No impact to the streetscape and neighbourhood.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	Works with existing building footprint.
Maintains or enhances desirable site features, such as natural vegetation trees and rock outcrops.	Not applicable.
Results in superior siting with respect to light access resulting in decreased energy requirements.	Not applicable.
Results in superior siting with respect to privacy.	Not applicable.
Enhances views from neighbouring buildings and sites.	Not applicable.

Potential Negative Impacts	Comments
Is inconsistent with neighbourhood character.	Existing site conditions will not change and no impact on neighbourhood character.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	Not applicable, the basement area is completely underground.
Requires extensive site preparation.	Not applicable.
Substantially affects the use and enjoyment of adjacent lands. (e.g. reduces light access, privacy, and views.	Does not impact use and enjoyment of adjacent lands.
Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul-de-sac.	Not applicable.
Requires a height variance to facilitate gross floor area exclusion.	Not applicable.
Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations.	Not applicable.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected.	Building footprint remains the same.

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

OTHER POLICY CONSIDERATIONS

The *Local Government Act*, through Section 922, allows Council to vary regulations contained in the Zoning Bylaw by way of a development variance permit. This proposal is consistent with criteria established for consideration of development variance permits.

BUDGET CONSIDERATIONS

There are no significant budget implications with this proposal. Development Variance Permit application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

A sign describing DVP 1094 has been posted on the property since the application was made in September 2014. Notices were sent to surrounding property owners in December 2014.

SUMMARY

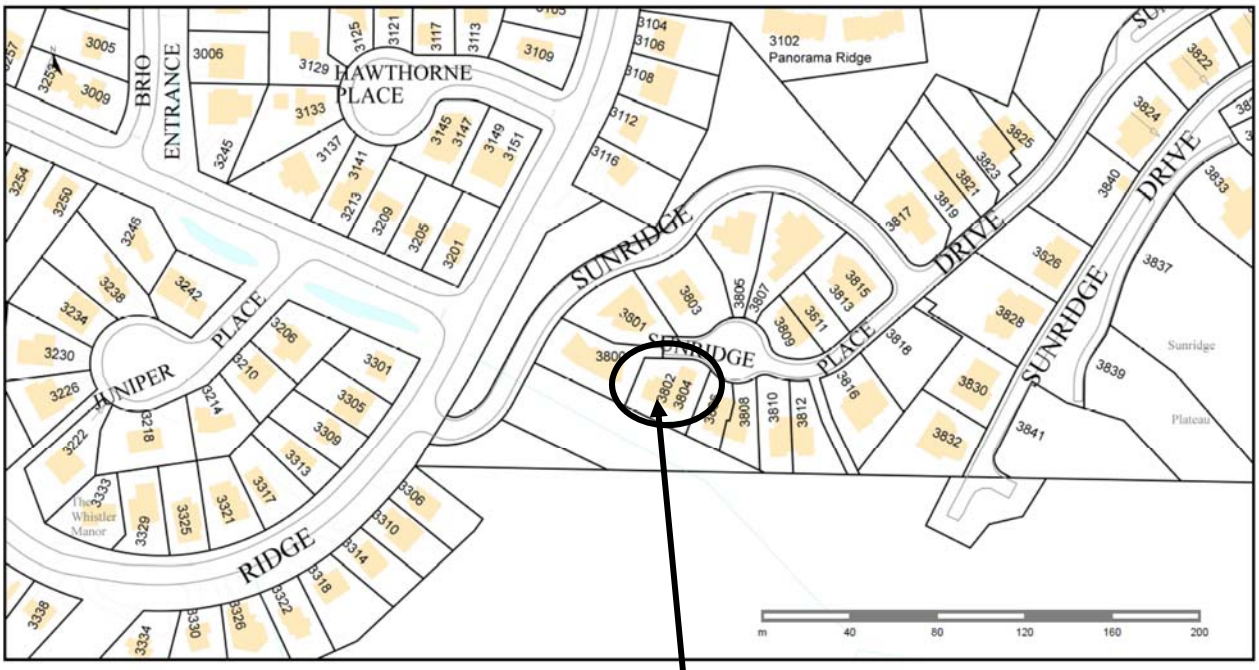
Development Variance Permit 1094 proposes a variance to "Zoning and Parking Bylaw 303, 1983" for front building setback.

Respectfully submitted,

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

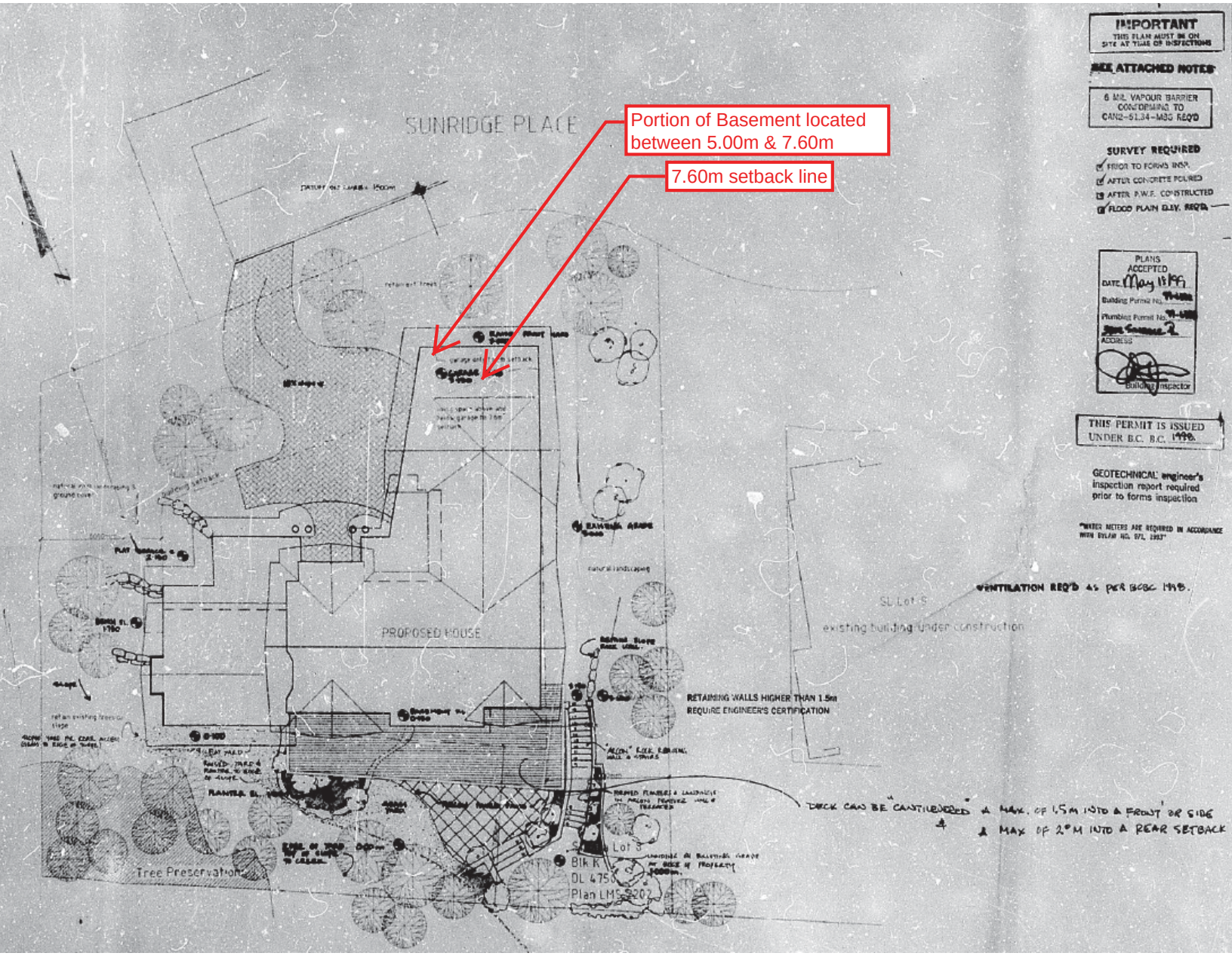
Location Plan

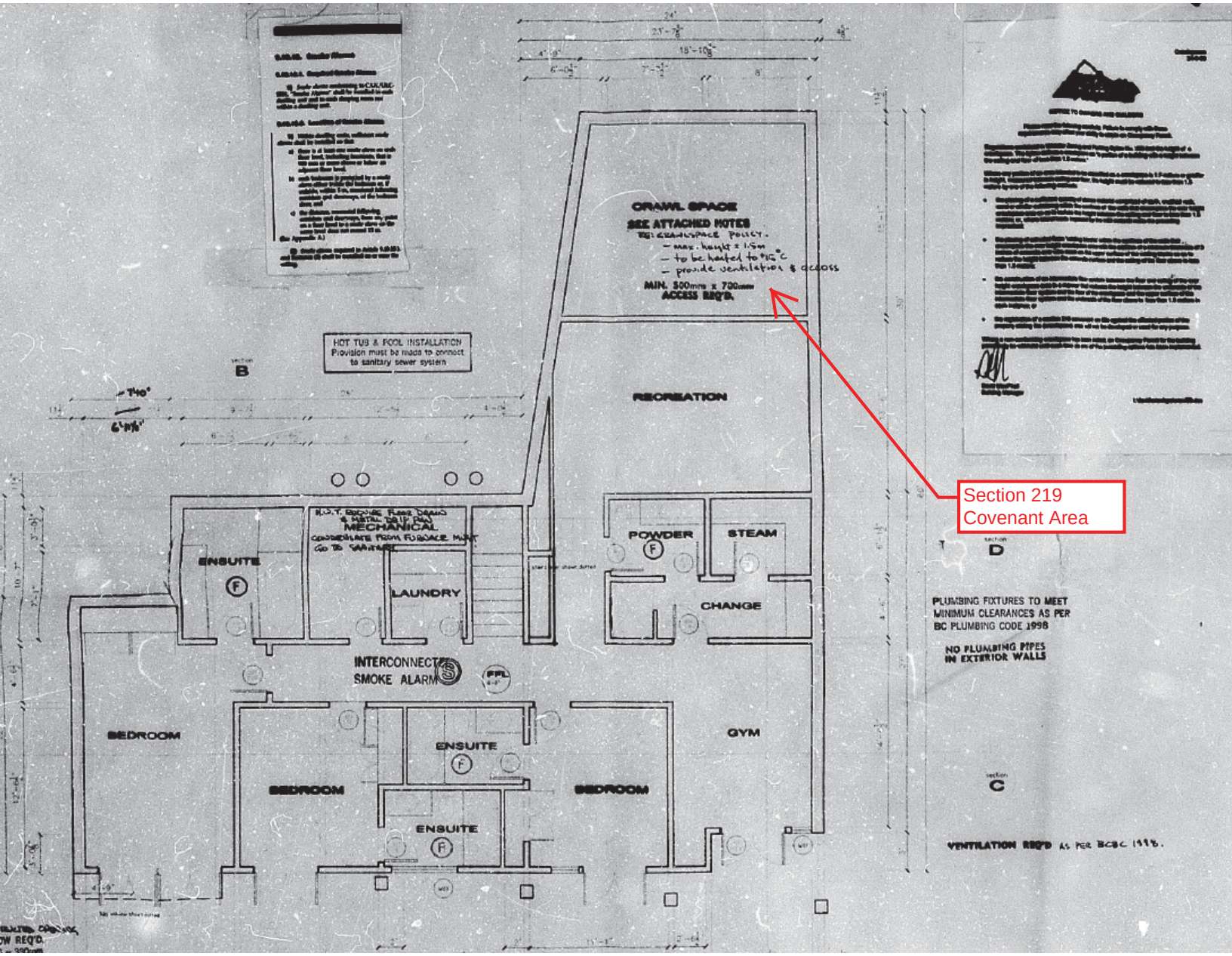
DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 1094 – 3802-3804 Sunridge Place

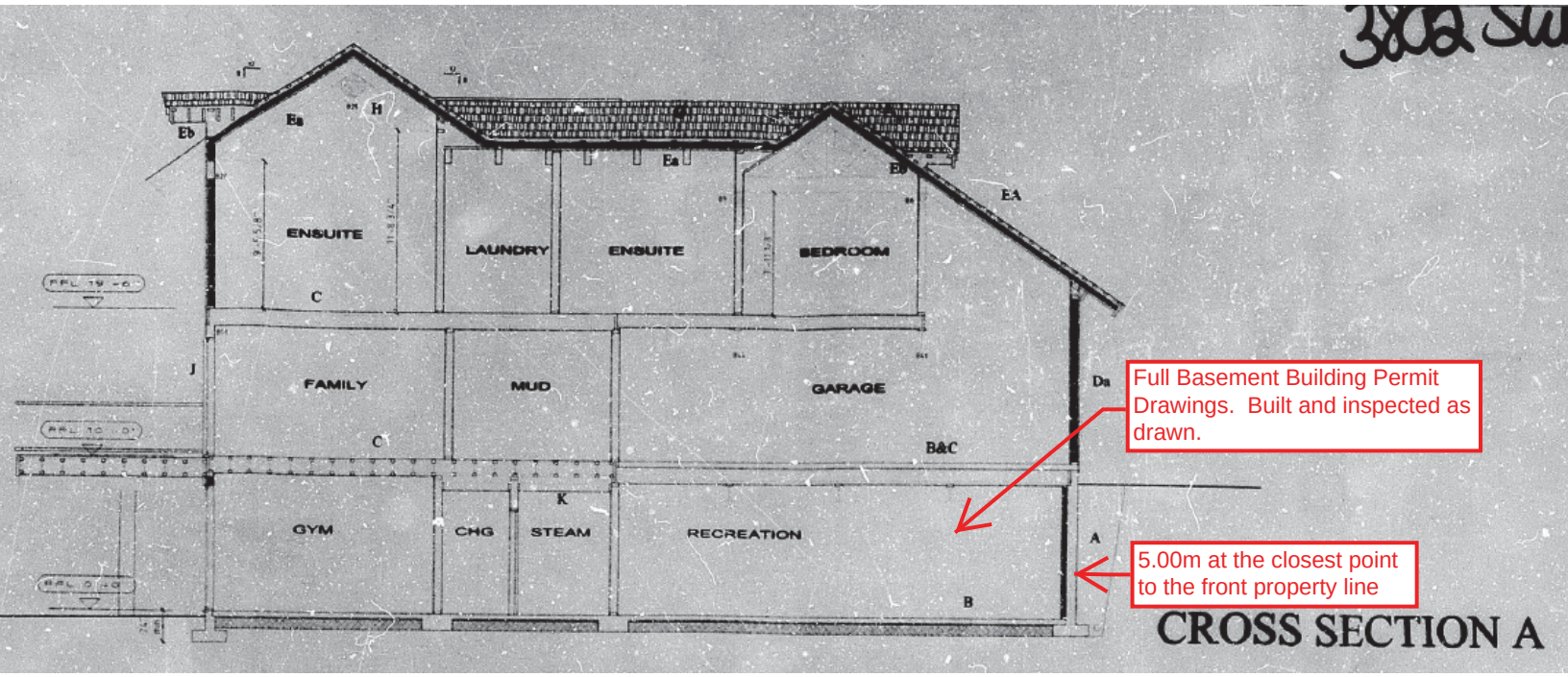


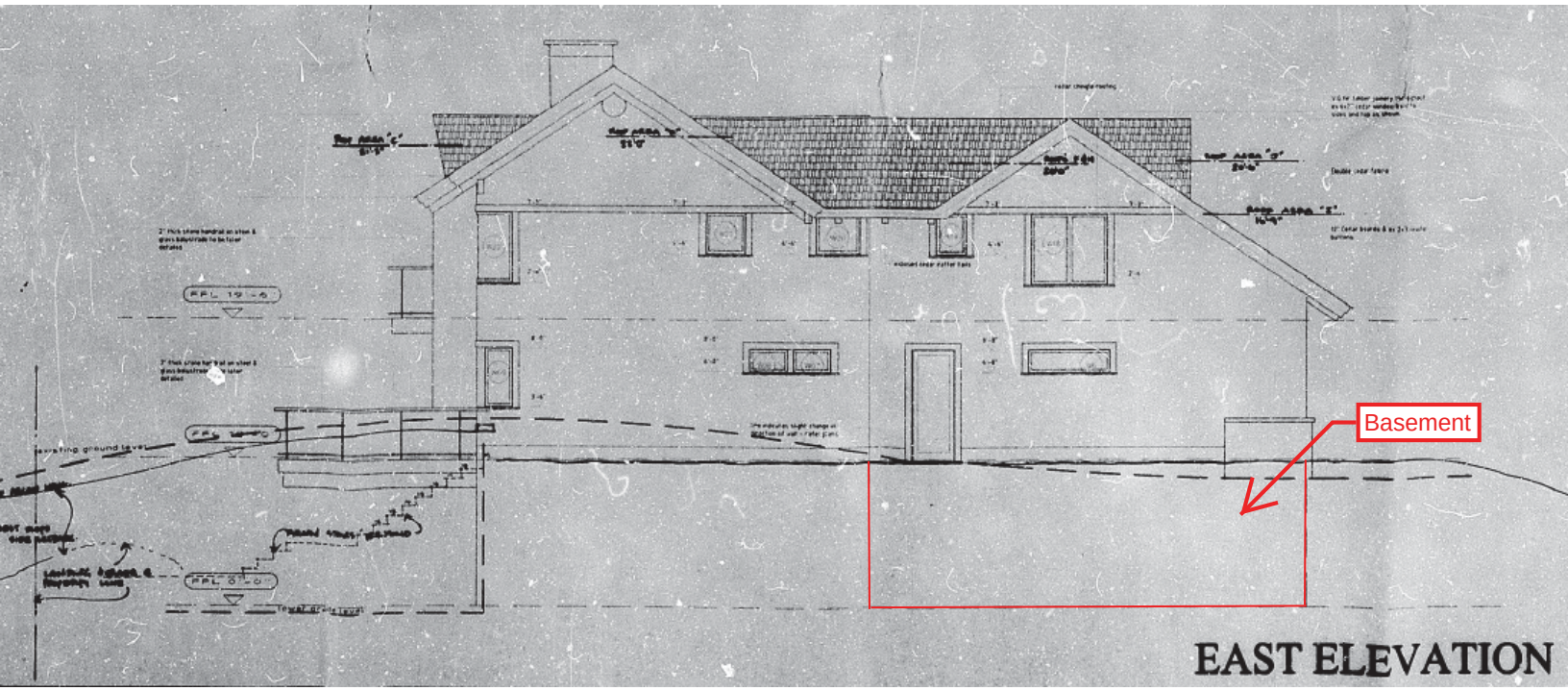
Subject Property

PROPOSED PLANS




CRAWL SPACE
SEE ATTACHED NOTES
RE: CRAWLSPACE POLICY.
- max. height x 1.5m
- to be heated to 10°C
- provide ventilation & access
MIN. 500mm x 700mm
ACCESS REQ'D.
HOT TUB & POOL INSTALLATION
Provision must be made to connect to sanitary sewer system
RECREATION
POWDER
STEAM
CHANGE
ENSUITE
LAUNDRY
MECHANICAL
INTERCONNECTED
SMOKE ALARMS
BEDROOM
ENSUITE
BEDROOM
BEDROOM
ENSUITE
GYM
Section 219
Covenant Area
PLUMBING FIXTURES TO MEET
MINIMUM CLEARANCES AS PER
BC PLUMBING CODE 1998
NO PLUMBING PIPES
IN EXTERIOR WALLS
VENTILATION REQ'D AS PER BCBC 1998.


3802 SW
Eb
Ea
H
Ea
Ea
EA
ENSUITE
LAUNDRY
ENSUITE
BEDROOM
C
J
FAMILY
MUD
GARAGE
Da
B&C
C
K
GYM
CHG
STEAM
RECREATION
A
B
Full Basement Building Permit Drawings. Built and inspected as drawn.
5.00m at the closest point to the front property line
CROSS SECTION A


Basement
EAST ELEVATION

WEST ELEVATION

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 13, 2015 **REPORT:** 15-010

FROM: Resort Experience **FILE:** RZ1091

SUBJECT: 7115 NESTERS ROAD – REZONING PROPOSAL TO REGULARIZE EXISTING PENSION USE

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council endorse further review of Rezoning Application No. 1091; and further,

That Council direct staff to prepare the necessary zoning amendment bylaw for Council consideration.

REFERENCES

Location:	7115 Nesters Road
Legal Description:	Lot 15 District Lots 4752 and 4753 Group 1 NWD Plan LMP44921
Applicant:	Jim Gruetzke, owner repetitive
Zoning:	TP4 (Tourist Pension Four) and LCB1 (Leisure Conservation Buffer One Zone)
Appendices:	"A" Location Map "B" Zoning designations "C" Building plans "D" Correspondence "E" Photographs of property

PURPOSE OF REPORT

This report describes rezoning application RZ1091 an application to legitimize an existing pension development located at 7115 Nesters Road commonly known as Heidi Haus. This report seeks Council's endorsement for further review and preparation of the necessary zoning amendment bylaw for Council consideration.

DISCUSSION

Background

The Heidi Haus pension is an existing pension development that has been in operation for approximately 35 years.

The subject land of the rezoning application is located at 7115 Nesters Road. It is a large (0.3703 ha) irregularly shaped property east of the intersection of Nesters Road and Treetop Lane as shown on the Location Map in Appendix "A". The request is to rezone a 182.8 square metres portion of the split-zoned lot from LCB1 (Leisure Conservation Buffer One) zone to TP4 (Tourist Pension Four)

zone to create sufficient lot area for the TP4 zoned portion of the parcel to comply with the Floor Space Ratio (FSR) of 0.35 and parcel size required to have eight guestrooms as contained within the existing pension. The applicant, Mr. Jim Gruetzke, is acting on behalf of the new owners and was the previous property owner and operator of the pension for over 35 years.

The Heidi Haus pension was constructed under three building permits issued between 1978 and 1986 for construction and alterations to the dwelling on the property at 7115 Nesters Road with an original lot size of approximately 1,025 square metres (0.1025 ha).

In April 1996, Council adopted Zoning Amendment Bylaw No. 1167, 1996, which amended the TP4 zoning regulations regarding required frontage (minimum 24 metres), setbacks (6 metres sides, 7.6 metres for front and rear) and linked the number of permitted guestrooms to the size of the property. At the time, staff noted the Heidi Haus property had a 16 metre frontage, 3 metre side yard setbacks, and a parcel size of 1,025 square metres. With the adoption of Zoning Amendment Bylaw No. 1167, the property became legally nonconforming, with respect to noncompliance with the new frontage, rear and side setback requirements. The new regulations created the requirement for a larger property area to permit a maximum of 8 guestrooms for a pension use.

In April 1999, a rezoning application (RA256) was submitted for lands owned by Mr. Gruetzke and the Crown for a proposed subdivision located north of Heidi Haus. At that time Mr. Gruetzke also owned Heidi Haus. The rezoning proposal included a 0.27 ha portion of these lands being added to the pension property. The additional land was to preserve a green buffer between the pension and the proposed resident restricted housing driveway to the north (Nesters Hill Resident Housing at 7525 and 7531 Seppos Way). See Appendix A.

In September 1999, Zoning Amendment Bylaw No. 1378, 1999 was adopted in relation to the RA256 application. The amending bylaw created the larger (0.3703 ha) split zoned parcel (TP4 and LCB1 zones) for Heidi Haus and added new regulations regarding Split Zoned Parcels and how to calculate permissible density of uses, buildings and structures. The new LCB1 zone does not permit structures or buildings on this portion of the property. In addition, a tree protection covenant was registered over the LCB1 zoned portion of the property as part of this rezoning application.

In November 2013, the property and pension business were sold to new owners. In December 2013, an inspection was completed of the property for the new business license. The fire department notified the new owners that renovations were undertaken in the building that were beyond the scope of the issued open permits. The building and planning department staff advised the new owners that a rezoning application was required to rezone a portion of the property to create a sufficient land area zoned TP4 under the current zoning regulations to legitimize the amount of existing gross floor area and to permit a total of eight guestrooms on the property.

Rezoning Proposal

In May 2014, the applicant submitted a rezoning application to rezone an approximate 300 sq.m portion of the property from LCB1 to TP4. Further discussions between the applicant and staff resulted in a reduction in the amount of property to be rezoned from 300 square metres to 182.8 square metres to create the minimum land area necessary to make the existing pension compliant with TP4 zoning requirements. The proposal will increase the TP4 zoned portion on the property

from 1,025.2 square metres to 1,208 square metres and conversely decrease the portion zoned LCB1 from 2,677.6 square metres to 2,494.8 square metres. The approximate location of the 182.8 square metres area for rezoning is illustrated in Appendix B attached to this report.

The TP4 zone permits a maximum density of 465 square metres of gross floor area (GFA) or a floor space ratio (FSR) not to exceed 0.35, whichever figure is lower. For the owners to keep the existing 422.6 square metres of gross floor area in Heidi Haus, the minimum lot area required is 1,208 square metres (422.6 / 1,208 = 0.3498) to be compliant with the permitted 0.35 FSR.

The TP4 zone has a second density measure which requires a minimum parcel area of 1,045 square metres to permit a maximum of eight guestrooms. The Heidi Haus portion of the property zoned TP4 is 1025.2 square metres which is only large enough for seven guestrooms. The proposed minimum lot area (1,208 square metres) to be zoned TP4 would permit the existing eight guestrooms.

The legitimization of the guestrooms will not require additional parking to be provided on site as the property already provides the required 8 parking spaces.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Economic	Whistler has a diversified and year-round tourism economy. The Whistler economy provides opportunities for achieving competitive return on invested capital. Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adapts to changing external conditions. Whistler's core accommodation base and long-term investments made in the community are protected	The reallocation of the portions of the lot between the TP4 and LCB1 zones for the existing pension would permit the current owners to regularize the operation of a pension with eight guestrooms as one type of tourist accommodation available in Whistler for an established long term pension use.
Visitor Experience	Visitors perceive Whistler products, services and activities to be excellent value. The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	The proposed reallocation of a portion of the existing lot from LCB1 to TP4 would permit the owner to obtain the appropriate building permits and complete building works to regularize this successful long term pension as a continued type of tourist accommodation experience in Whistler.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
	Not applicable	

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw No. 303

The property will remain split zoned but the proposed rezoning would rezone a 182.8 square metres portion of the lot area from LCB1 to TP4 to legitimize the existing pension development.

To ensure the nonconforming building and pension business could be reconstructed if more than 75% destroyed by fire a development variance permit should be considered by Council for the existing legal non-conforming side yard setbacks for the building, a lower deck on the northeast side of the building behind the carport, and a landscape retaining wall adjacent to the LCB1 buffer zone.

The existing shed will be relocated and the lawn area and wooden landscape retaining wall will all be within the proposed rezoned TP4 area to be compliant with permitted uses on the TP4 portion of the property.

All other aspects of the TP4 and LCB1 zoned portions of the property will meet all other requirements of the zones.

If Council authorizes further processing of the rezoning application these variance issues will be confirmed and outlined in the report to Council with the necessary bylaw for first and second readings.

Official Community Plan

Whistler's 1993 OCP outlines specific items for review with respect to rezoning applications. A brief summary follows in Table 1. The proposal complies with applicable OCP policies.

Table 1: 1993 OCP Criteria for Evaluating Proposals for Zoning Amendments

OCP Criteria	Comments
Proposals that increase the bed unit capacity of the municipality will only be considered if the development: provides clear and substantial benefits to the resort; is supported by the community in the opinion of Council; will not cause unacceptable impacts on the community, resort or environment; and meets all applicable criteria set out in the OCP.	The proposal does not increase the bed unit capacity.
Capable of being served by Municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Comply with Environmental Impact Assessment process in Schedule O.	Per Schedule M and N of the OCP, the site does not have any environmental constraints or development constraints.
Traffic volumes and patterns on Highway 99 and the local road system.	The proposal does not increase the number of units or the parking requirements on site.

Overall patterns of development of the community and resort	The lands are identified on Schedule B – Development Areas and per Policy 4.1.1, the lands outlined in Schedule B are designated for development of accommodation.
Municipal Finance	Works and service charges will be payable on the permitted gross floor area at time of building permit.
Views and Scenery	n/a
Existing Community and Recreation Facilities	n/a
Employee Housing	On site suite for manager is provided
Community greenhouse gas emissions	Impact on community greenhouse gas emissions is considered negligible.as the floor area is existing.
Heritage Resources	n/a
High standards of design, landscaping and environmental sensitivity.	Existing structure, not subject to DP guidelines. Existing pension is of a unique character and high quality design.
Negative impact on a designated Municipal trail system, recreation area, or open space.	No impact.

Pension Policy

Whistler's Pension Guidelines Policy G-4 was adopted on May 30, 1983 and revised on January 10, 1996. It outlines specific items for review with respect to rezoning applications. A brief summary follows in Table 2. The proposal complies with applicable guidelines of the Pension Policy.

Table 2: Pension Guidelines for Evaluating Proposals for Zoning Amendments

Criteria	**Comments**
Location guidelines	
1.1 In the designated Short Term Development Area as shown in the OCP.	Existing pension
1.2 In an area which is currently zoned Single Family, Duplex or Rural Resource.	Complies
1.3 Municipal sewer and municipal or community water systems shall service a pension	Complies
Site Guidelines	
2.1 Maximum grade of a road, proving vehicle access to a pension site, is eight (8) percent.	Complies
2.2 New pension not be located within 100 metres of another pension site in residential zones only.	Existing pension.
2.3 Significant excavation or alteration of a pension site to provide necessary off-street parking is prohibited unless at least six (6) parking spaces are provided in a parking structure which is partially hidden from view at street elevation and/or contained within a pension building.	No excavation for parking required. Existing site has sufficient surface required parking spaces.
General Guidelines	
3.1 Sale and consumption of alcohol to the general public prohibited.	Complies
3.2 Strata-titling of a pension is prohibited.	Complies
3.3 Designated a mandatory Development Permit area in consideration of the OCP	Existing pension

3.4 Some of required off-street parking should be provided within a pension building or a garage/carport	Carport being removed to restore 3 metre side setback and to meet building code requirement.
3.5 Shall be designated Resort Lands (i.e. mandatory membership on the Whistler Resort Association)	Existing pension
3.6 All surface off-street parking areas should be screened or broken up from direct view of the street or abutting properties by landscaping, fencing or hedges	Complies
3.7 To be used for temporary lodging by visitors that includes guestrooms, common areas, including a dining room intended for the use of guests, and an auxiliary residential dwelling unit.	Complies
3.8 Guestroom means one habitable room that is used for temporary accommodation and may include a bathroom, but excludes cooking facilities	Complies as shown on application drawings
3.9 A commercial restaurant catering to the general public is prohibited	No restaurant in the existing building or proposed.
3.10 Shall comply with regulations contained in the Health Act	Required
3.11 The maximum number of guests shall be regulated.	Will comply with TP4 zone provisions for a maximum of 8 guestrooms.

Green Building Policy

Per the municipality's Green Building Policy G-23, the following information can be required for the processing and adoption of a zoning amendment:

- Registration of a Section 219 covenant to ensure future development is consistent with any project checklist and with the objectives and goals of the Green Building Policy; and
- A project completion report detailing the implementation of the green building practices required by the Section 219 covenant.

It is recommended that a green building covenant not be a condition of adoption of the zoning amendment bylaw as this is an existing development.

Tree Covenant Area

On February 8, 2000, a tree covenant (BP030171) was registered at Land Title Office which covers the LCB1 portion of 7115 Nesters Road. The intent of the covenant is to maintain the LCB1 area as a Tree Retention Area. However, the covenant does permit the owner of the property to cut a tree within the Tree Retention Area where a tree is diseased, dead, or damaged, and in the reasonable opinion of the owner, the tree poses an immediate risk or danger to persons or property, provided that where a tree is cut down, the Owner shall notify the Municipality and revegetation as may be reasonably required by the Municipality in accordance with plants types identified in the covenant.

In 2010, according to the applicant's October 20, 2014 letter in Appendix D, he removed 4 trees from the LCB1 zone portion of the property as they posed a danger to the pension. In the attached letter it states he planted 12 replacement trees on the LCB1 portion of the property.

As a condition of rezoning this covenant will be modified to exclude the proposed portion to be rezoned from LCB1 to TP4 to reflect that it is no longer part of the Tree Retention Area.

BUDGET CONSIDERATIONS

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.

If the rezoning is supported the applicable building permit fees and works and services charges to legitimize the unauthorized guestrooms and internal construction will be applied at time of building permit application.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign is posted on the property.

The proposed zoning amendment bylaw will be subject to a public hearing statutory public notice requirements.

Correspondence both in opposition and support have been submitted and are attached for Council's reference in Appendix D to this report.

Staff have noted the following issues in the correspondence:

Encroachment on to private property (7111 Nesters Road)

The existing unauthorized carport and screened in deck area above encroach by 0.03 m and 0.27 metres respectively, on to the adjacent residential lot located at 7111 Nesters Road. This information was forwarded to the applicant and owners. On December 3, 2014, the property owner submitted an email confirming the carport and outdoor deck area will be demolished as soon as the demolition permits are obtained and these encroachments eliminated.

Encroachment into the LCB1 portion of the property

There is an existing storage shed and lawn area at the rear of the pension which are located on the LCB1 portion of the property. The LCB1 zone does not permit any structures and under the registered tree covenant is intended as a treed buffered area. The previous owner's October 20, 2014 letter in Appendix D, outlines that in 2010, after one tree had snapped, in the owner's opinion, four dangerous trees were removed and an agreement was reached with RMOW staff that 12 replacement trees in the tree retention area would meet the requirements of the tree covenant and these were planted by the owner. The LCB1 portion of the property remains forested in nature as shown in the photographs in Appendix E.

Pension operations and noise levels

Concerns with the current pension operation and the noise levels on the outdoor deck area above the carport are noted in correspondence in Appendix D. Copies of the correspondence were given to the applicant to discuss solutions with the owners. The applicant's October 20, 2014 response letter is included in Appendix D. It describes the new owners' commitment to addressing these issues.

The existing TP4 zone regulations do not require a manager on site at all times. The October 21, 2014 applicant letter confirmed the owner's commitment for a manager residing full-time on site in the suite shown on the drawings in Appendix C.

Staff researched noise complaints and found that between 2006 and 2014, there was one call in 2008 to the RCMP regarding a party which was resolved with the officers' arrival at the premise, and in 2014 a message left on the non-emergency RCMP number which could not be authenticated as it was not received until the following day.

SUMMARY

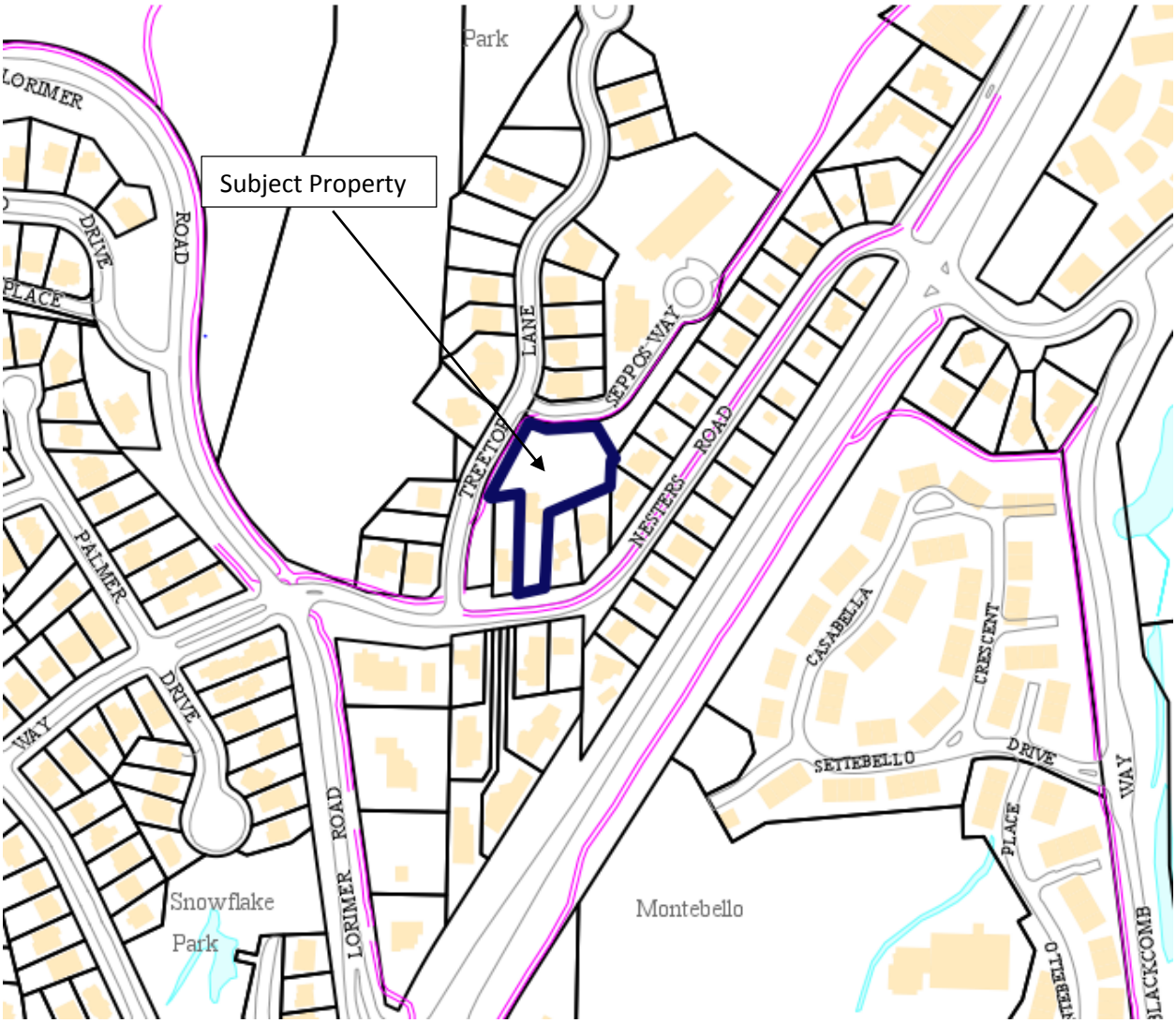
This report requests authorization to further review the rezoning request and preparation of a zoning amendment bylaw for Rezoning Application No. 1091: 7115 Nesters Road.

Respectfully submitted,

Robert Brennan, MCIP RPP
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

LOCATION MAP

7115 Nesters Road – Heidi Haus



SKETCH PLAN OF PROPOSED RE-ZONING ON LOT 15, DL 4752, Gp 1, NWD, PLAN LMP44921

BCGS 92J.016

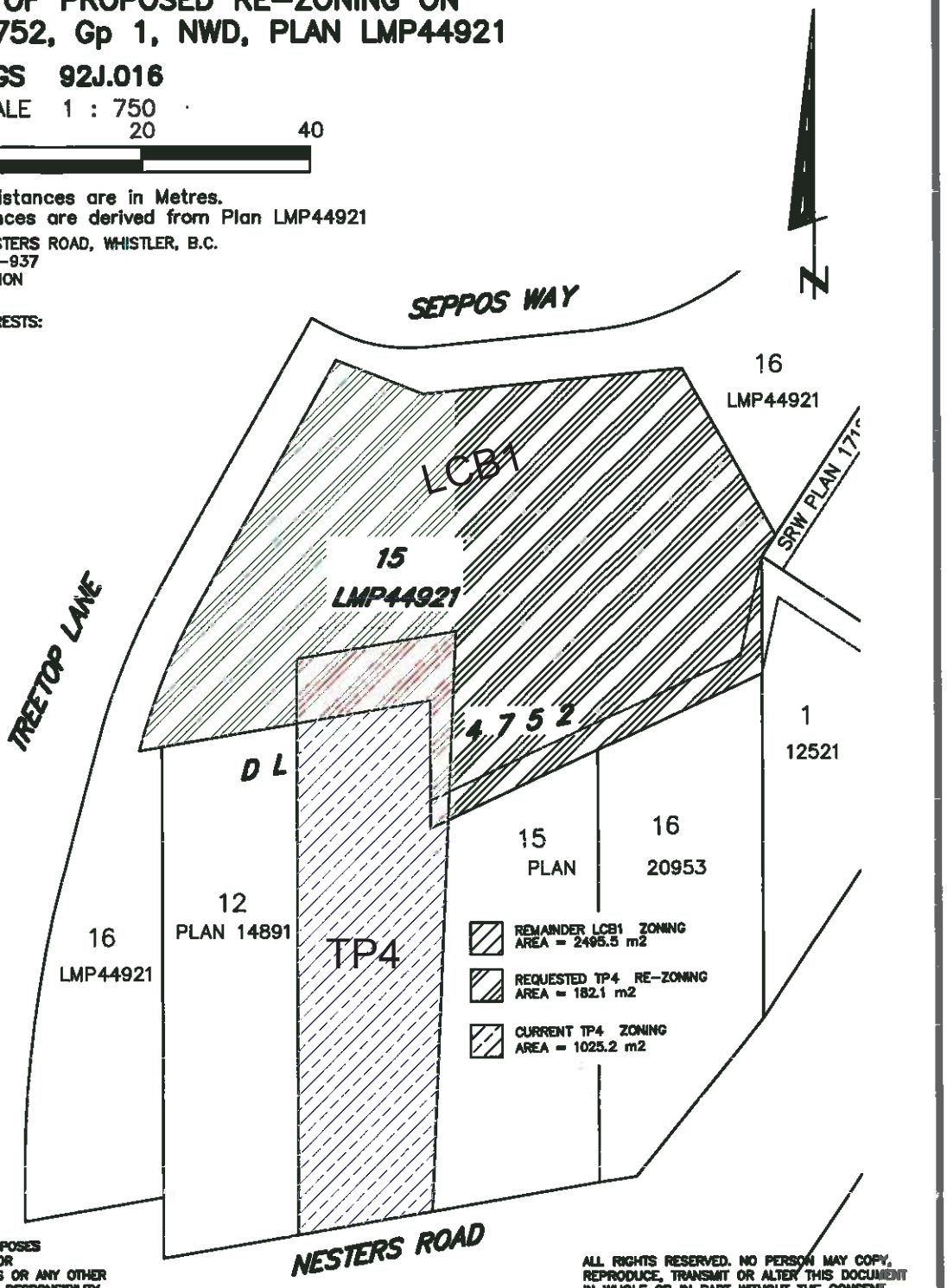
SCALE 1 : 750

20 0 20 40

All Distances are in Metres.
Bearings and Distances are derived from Plan LMP44921

CIVIC ADDRESS : 7115 NESTERS ROAD, WHISTLER, B.C.
PID : 024-713-937
: FOUNDATION
PERMIT # : N/A

CHARGES, LIENS AND INTERESTS:
BP30124
BP30126
BP30171



THIS PLAN IS FOR MUNICIPAL PURPOSES ONLY AND IS NOT TO BE USED FOR THE LOCATION OF PROPERTY LINES OR ANY OTHER USE WHATSOEVER. WE ACCEPT NO RESPONSIBILITY FOR UNAUTHORIZED USE.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

THIS PLAN WAS PREPARED FOR
Jim Crustzke

R. B. Brown Land Surveying Ltd.
Professional Land Surveyors
P.O. Box 13, Whistler, B.C. V0N 1B0
604-932-5426 Fax 604-938-1361
E-mail rbbrown@telus.net

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NOV 24 2014
RESORT EXPERIENCE PLANNING
RESORT MUNICIPALITY
OF WHISTLER

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT.
This 28th Day of March, 2014.

B.C.L.S.

"THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED"

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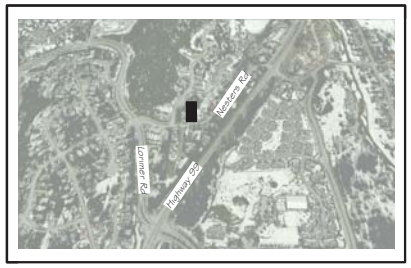
J14006 7 NOVEMBER 2014 FILE : J14006_SK14043A R2



Key Plan
Scale: NTS

12
PLAN 14891

TREETOP LANE

N

80°16'24" 19.048

Property Line 179°55'02" 60.953

80°14'08" 16.266

Building Setback

Shed

Existing Shed to be removed

House

Guest Parking Space

DRIVEWAY

Parking Setback

24'-11 1/4"

2°28'44" 46.708

NESTERS ROAD

Existing Carport/ Deck to be removed (driveway to remain and permenant 42" ht Guard to be installed along outside edge)

15
LMP44921

15
PLAN 20953

SRW EX PLAN 17184

85°01'01" 41.336

16
LMP44921

12
PLAN 14891

TREETOP LANE

NESTERS ROAD

15
LMP44921
D.L. 4752

SEPPOS WAY

15
REMAINDER LCB1 ZONING
AREA = 2495.5 m2
REQUESTED TP4 RE-ZONING
AREA = 182.1 m2
CURRENT TP4 ZONING
AREA = 1025.2 m2

16

1
12521

SRW PLAN 17184

16
LMP44921

Sketch Plan of Proposed Re-Zoning
Provided by Surveyor

Site Plan for Zoning
Scale: 1/16"

Guest Parking Space
8'6 3/8" x 20'0 3/16" (2.6m x 6.1m) straight

Parking Calculations for Zoning

Table 6-A
Required parking: 2.6m x 6.1m Space size

2 covered or enclosed per Auxiliary Dwelling unit plus .75 per guest room (8)

8 Sleeping units x .75 = 6 Parking Spaces required
+ 2 spaces for Auxiliary Dwelling

Total 8 Parking Spaces Provided

ECO MOUNTAIN HOMES
House Design-Additions-Renovations
604-966-7044
ecomountainhomes.com
scottdensmore@hotmail.com

Project:
Heidi Haus Pension
Re Zoning Application
7115 Nesters Road
Whistler, BC.

Plan:
Site Plan & Key Plan
w/ Descriptive Survey

Date:
Nov 15, 2014.

Scale:
1/16" (Imperial Scale)

Sheet No:
A-001

Issue Date:
1. Issue for Design Approval. Apr1, 2014.
2. Issue for Zoning Permit. Oct 21, 2014.

Drawn By:
Scott Densmore

Revisions:
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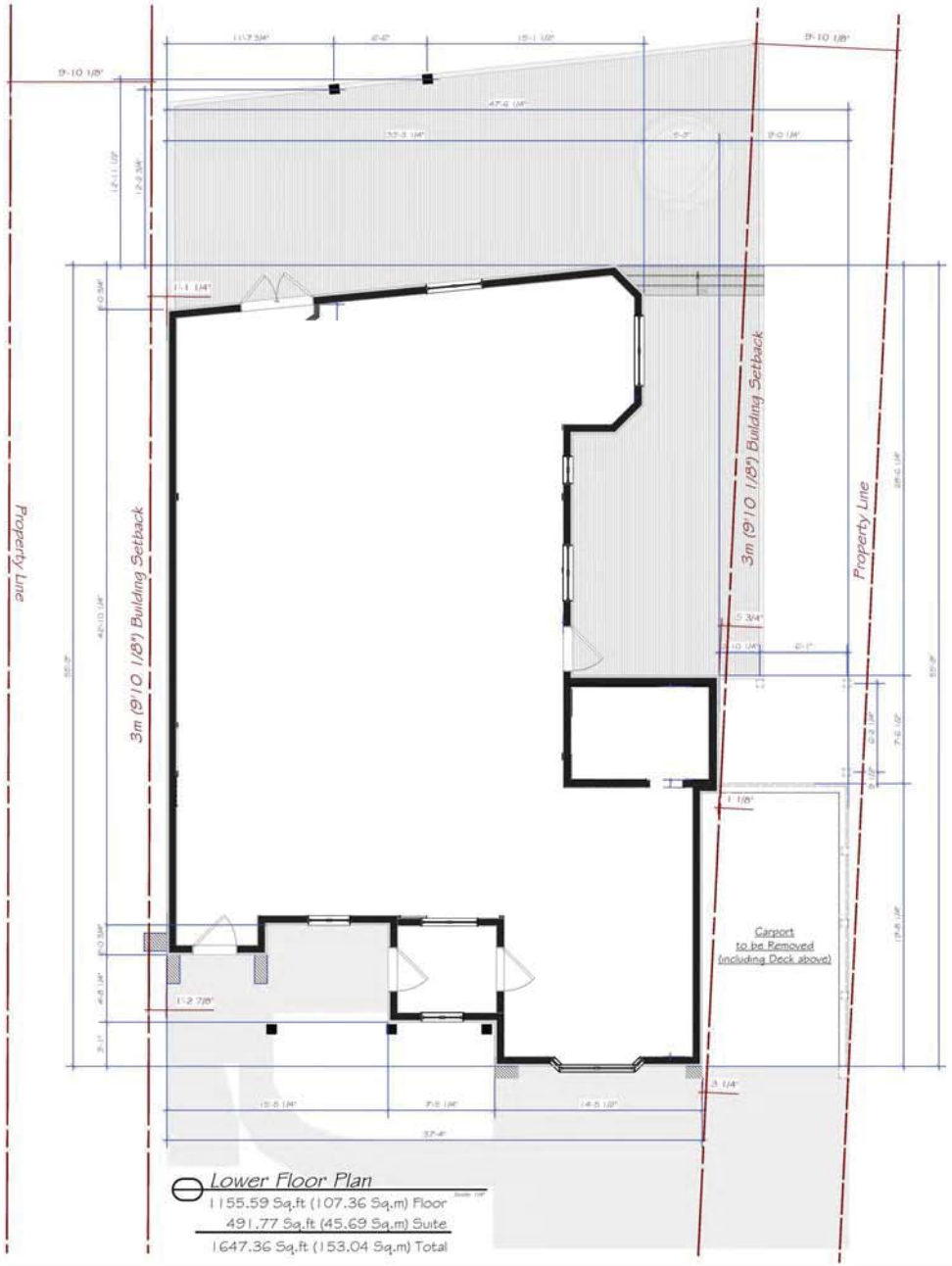

Lower Floor Plan

1155.59 Sq.ft (107.36 Sq.m) Floor

491.77 Sq.ft (45.69 Sq.m) Suite

1647.36 Sq.ft (153.04 Sq.m) Total

ECO MOUNTAIN HOMES
House Design-Additions-Renovations
604-966-7044
ecomountainhomes.com
scottdensmore@hotmail.com

Project:

Heidi Haus Pension
Re Zoning Application
7115 Nesters Road
Whistler, BC.

Title:

Floor Plan & Project Information/ Statistics

Date:

Nov 15, 2014.

Scale:

1/4" (Imperial Scale)

Sheet No:

A-101

Issue Date:

1. Issue for Design Approval. Apr1, 2014.

2. Issue for Zoning Permit. Oct 21, 2014.

Drawn By:

Scott Densmore

Revisions:	
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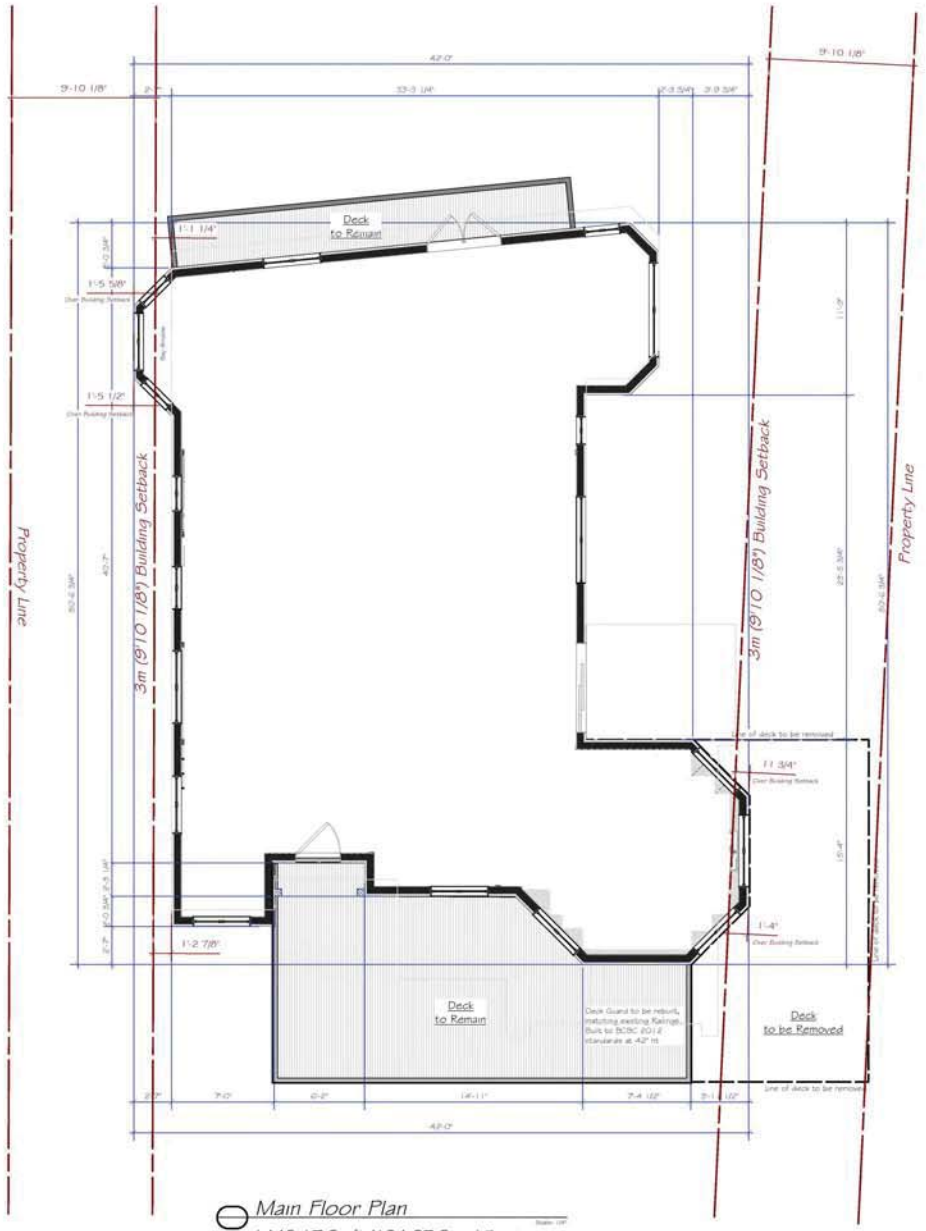

Main Floor Plan

1443.17 Sq.ft (134.07 Sq.m) Total

ECO MOUNTAIN HOMES
House Design-Additions-Renovations
604-966-7044
ecomountainhomes.com
scottdensmore@hotmail.com

Project:

Heidi Haus Pension
Re Zoning Application
7115 Nesters Road
Whistler, BC.

Title:

Floor Plans

Date:

Nov 15, 2014.

Scale:

1/4" (Imperial Scale)

Sheet No:

A-102

Issue Dates:

1. Issue for Design Approval. Apr1, 2014.
2. Issue for Zoning Permit. Oct 21, 2014.

Drawn By:

Scott Densmore

Revisions:

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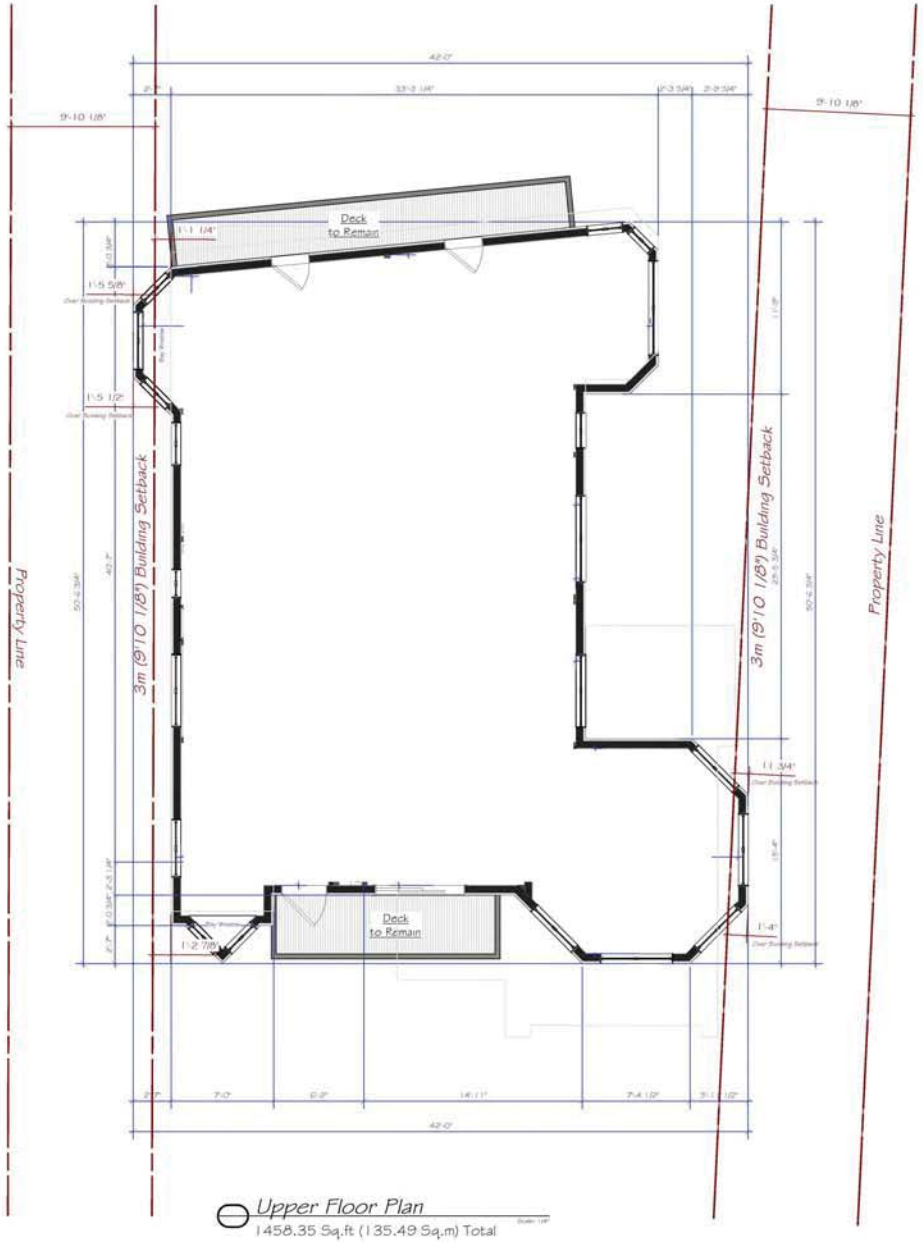

Upper Floor Plan
1458.35 Sq.ft (135.49 Sq.m) Total

ECO MOUNTAIN HOMES
House Design-Additions-Renovations
604-966-7044
ecomountainhomes.com
scottdensmore@hotmail.com

Heidi Haus Pension
Re Zoning Application
7115 Nesters Road
Whistler, BC.

Title: Floor Plans

Date: Nov 15, 2014.

Scale: 1/4" (Imperial Scale)

Sheet No: A-103

Issue Dates:
1. Issue for Design Approval. Apr1, 2014.
2. Issue for Zoning Permit. Oct 21, 2014.

Drawn By: Scott Densmore

Revisions:	
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Robert Brennan

From: Robert Brennan
Sent: Monday, November 17, 2014 8:48 AM
To: 'Sean'
Cc: jagswhistler@shaw.ca
Subject: RE: 7115 nester's rd.

Good morning Mr. Graham and Mr. Gruetzke,

Thank you Mr. Grahame for your letter regarding the rezoning application at 7115 Nesters Road for the Haus Heidi pension.

This letter will be included in the report to Council for their consideration when they review the rezoning application.

I've also forwarded a copy of your email to the applicant (Mr. Jim Gruetzke) to discuss the noise concerns with the current owners and request they response to the issue.

Cheers.

Robert Brennan, MCIP
RESORT MUNICIPALITY OF WHISTLER
TEL: 604-935-8159

From: Sean [mailto:sean-graham@hotmail.com]
Sent: Sunday, November 16, 2014 10:24 AM
To: Robert Brennan
Subject: 7115 nester's rd.

Hi Mr Brennan,

My name is Sean Graham and I am the owner at 7119 nesters rd. and live here also.

I am contacting you regarding 7115 nester's rd. my next door neighbour.

I received a letter from Carlee Price regarding the new ownership that have taken over from Jim and Trudy.

Carlee is concerned about the noise and the application for zoning.

I personally have no concern over the zoning but a big concern over the noise.

Since the start of may every fri and sat night until thanksgiving this year I have been awoken in the middle of the night(between 3-5am) by party people.

I personally have never called the police or bylaw but will in the future if it is not rectified.

If the zoning approval they are looking for will increase the potential for continued disturbance then i'm against the zoning application they are asking for as well

Needless to say, I'm very sad that Jim and Trudy left. in the 4 yrs as their neighbour i have never had an issue with them, noise or otherwise.

My cell # is 905-8663

Thanks,

Sean Graham
North Face Painting Ltd.
604-932-3005

October 6, 2014

Building Department
buildingdept@whistler.ca

Re: 7115 Nesters Road Rezoning Application setbacks

Good Morning.

I am writing to you today regarding the Rezoning application for the parcel located at 7115 Nesters Road.

You are of course aware that the new owners of this property are looking to bring into compliance some modifications made to the building years ago. They are doing this by requesting an expansion of the portion of their lot categorized as TP4. I understand that one part of your department's role in the process is to recommend to Planning as part of their review, setbacks that might apply to this newly described lot.

Further that these setback recommendations will ideally strike a balance between the building that exists today (zero setback, abutting the northern property line) and the regulations that would apply were the building built new today (6m setback I believe).

I own the home at 7111 Nesters Road and so your decision has an immediate and lasting impact on my ability to peaceably enjoy my property, as well as its ongoing value.

I understand the status quo argument here: that the building has been standing in its current form for many years without a problem. Why fix what isn't broken? I can assure you, however, that the recent change in ownership, the recent change in operation of this property have very clearly revealed the flaws that have perhaps always existed with this arrangement, and serve to underscore the role of setbacks in maintaining safe and healthy neighbourhoods.

New Owner has taken to hosting large, unsupervised groups at his Pension. These groups are loud (a concern we've taken up with law enforcement and bylaw) and enjoy activities such as tossing cigarettes off their balcony into my yard. New Owner was also, for a period of time, housing guests in a portion of his building that had been built without permits and declared to him by the Fire Department as uninhabitable. As luck would have it, this portion of his home also lies right along my property line. You can understand these types of practices pose an immediate and real risk to the safety and security of my property.

I understand that we cannot control the behavior of individuals in private residences, nor should we. I understand that Bylaw is limited in its ability to restrict New Owner's conduct in operating his business. What I ask is that you do what you are able in mitigating the risk that such behaviours -- which we can

fairly expect to continue unabated, as does Owner's pursuit of monetary return on his property – pose to neighbours and neighbouring properties.

This safety and security of person and property is the core intent of such things as setbacks as I understand it.

I understand recommending and enforcing a greater-than-zero setback will result in meaningful modification being required to the building. If the alternate is that the entire thing burns down, taking neighbouring structures with it, we may get there in any case.

Thanks for your consideration. I can be reached as below with any follow up or addition questions.

Warm Regards,

Carlee Price
carleeprice@gmail.com
7102 Nesters Road
(604) 902-4106

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OCT 28 2014
RESORT EXPERIENCE PLANNING
RESORT MUNICIPALITY
OF WHISTLER

October 25th 2014

Mr. Robert Brennan, Planner MCIP
Resort Municipality of Whistler

By e-Mail

Dear Mr. Brennan,

Further to our Rezoning Application 1091 and responses thereto, we, as the Owners of Haus Heidi Pension are fully committed to prevent any disturbances to the neighbourhood from occurring. We therefore have initiated the following measures to achieve this goal:

1. Advise all clients of the no-noise after 10:00pm bylaws which must be adhered to. Failure to do so, shall result in penalty fines of $200/day, plus payment of any fines or damage penalties levied by the Resort Municipality of Whistler.
2. Signs will be prominently placed in five (5) different locations of the house stating : NO Noise after 10pm – By-Law RMOW
3. The outdoor hot tub will be off limits for use after 10pm
4. Resident Manager will monitor activities more stringently than before.
5. A Security Guard will visit the premises at 10pm to make guests aware that Whistler has a no-noise after 10pm By-Law and that guests must refrain from causing a disturbance outdoors.

Thank you for your attention

Dr. Yuen Mo and Andreas Bernet
Owners

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RECEIVED
OCT 28 2014
RESORT EXPERIENCE PLANNING
RESORT MUNICIPALITY
OF WHISTLER

October 20th 2014

Mr. Robert Brennan, Planner MCIP
Resort Municipality of Whistler B. C.

Dear Mr. Brennan,

On September 4rd. 2014 you received a copy of a letter addressed to Mayor and Council, from Mr. C. Steele of 7107 Nesters Rd., with his objection to rezoning permit #1091.

The content of his letter is both offensive and misleading.

First of all, allegations of out of control partiers with bass thumping through the bedrooms with drunken people screaming and urinating off the balcony are not only unsubstantiated, but we believe these to be false. There is a manager on the property. We have never received any complaints regarding parties and noise from Mr. Brennan prior to this letter of his.

Further, there was nothing resembling clear cutting as stated.

Four years ago, we had removed 4 dead and dying trees as they posed a clear danger to the safety of our guests and property, as per Paragraph C Section 3 to this covenant.
A tall tree on the property snapped, fell over and severely damaged part of the deck and the roof of the house. When we inspected the trees in the area more closely, it was clear that 4 trees needed to be disposed of. We forgot completely that this particular area of our property was not on our side of the split zoning of LCB 1 and TP4 as per the agreement we had signed some 10 years earlier as the peripheral areas were landscaped and maintained together, given their close proximity to the house. The yard behind the house was always grassed and level.

When the By-Laws Officer came to inspect the property, an agreement was reached for us to plant 12 replacement trees in the area and the wood from the cut ones used partly as firewood for ourselves and our neighbours, with the remainder used in securing the land from further erosion.

There was never at any time any bulldozers on the property, nor did we extend our lot, nor did we construct any buildings as mentioned in the letter. That shed has been on our property for the past 26 years and is used for the storage of bicycles, skis, and garden furniture.

Permit me to give you some background on the property:

In 1984 we bought 23 acres of land, located behind Haus Heidi on Nesters Road which was zoned RR1.
In the mid nineties there was an urgent need for employee housing and as we were within walking distance to the Village, our land was chosen from 14 entries, to become NESTERS POND - 63 apartments were create, and an additional 8 acres of land was donated to the RMOW as parkland for the enjoyment of everyone.

A short while later, TREE TOPS subdivision was created with 22 single family lots, in 1999, whereby 3/4 of an acre was annexed to Haus Heidi Pension. Extensive tree planting was done to create a buffer to the west (Tree Top Lane) and to the north (Seppos Road) to assure neighbouring properties are sheltered from traffic noise.

In 2002 we, the owners of Haus Heidi, voluntarily put an LCB 1 designation on this part of our property, to ensure that this greenbelt is preserved.

As far as Mr. Steele is concerned, his property benefits greatly from our 3/4 acre of greenbelt. There are many wonderful trees lining the way beyond his property line, for him and his family's enjoyment. When we first moved into Haus Heidi in 1978, I had planted over 22 trees across the property, and it is very evident today that there is an abundance of these and well maintained greenery.

I hope this gives a somewhat better understanding of the history behind this small but wonderful parcel of land.

The new owners do apologize to their neighbours who feel they may have been affected in a negative way allegedly due to rare occasions of noise from visitors.

Although there is no record of any complaints made to us or to the RCMP or By-Laws for noise infractions regarding this property, we will definitely take

measures to ensure not to disturb the peace and quiet enjoyment of the properties - as it is in everyone's interest to do so.

Sincerely yours

Jim Gruetzke
(for and on behalf of owners Mr. Yuen Mo, Mr. Andreas Bernet)

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October 20th 2014

Mr. Robert Brennan, Planner MCIP
Resort Municipality of Whistler B.C.

Dear Mr. Brennan,

Thank you for giving us the opportunity to reply to the two letters, written October 6th, 2014 from Ms. Carlee Price, addressed to the By Law department and the Building Department.

Ms .Price raised several issues regarding the property and their guests:

- Large, loud, and unsupervised groups being housed
- Underage drinking
- Illicit drug use
- Housing guests in uninhabitable buildings built without permits
- setbacks
- that she wants to have the ability to peacefully enjoy her property adjacent, which was purchased a year ago, neighbouring an existing Pension

Fact is, there is a manager residing on the premises, who responsibly takes care of guests once they arrive at the resort, to ensure these types of issues do not happen. We would also wonder how Ms. Price could possibly have experienced these events as she does not reside in the house next door, but rents it out full time, year round. We regard the other items listed as speculations and note that our full time manager denies these allegations to have taken place.

In regards to set backs: When Ms. Price purchased the property, there were never any queries, concerns or objections raised to the carport from her or the previous owners. Prior to them, we owned the property.
Haus Heidi Pension was established in 1978 and has been part of this neighbourhood for 37 years, even before the mentioned Children's Centre. The carport has weathered inspections, renovations and rezoning without objections ever being filed or noted and is part of the architecture of the house. I find it very peculiar that in particular this item, after decades, is now subject to discussion, especially given the remote placement of the carport – set well back and far behind Ms. Price's house - I feel that the unsubstantiated complaints and fabrications of Ms. Price and those of Mr. Steele regarding the removal of dangerous trees and existence of a 26 year old shed may be part of a cooperative nuisance effort to hinder further operations or rezoning since the property has sold.

I have operated this Pension for 34 years without ever any encountering objections or disturbances. To the information provided me, neither the RCMP nor By-Laws have any records of receiving noise or party complaints to this property to date.

The new owners have already addressed these as potential barriers to the peaceful enjoyment of the property and those neighbouring it, by instituting greater supervision and managerial attention to the property and its clients. It is not in anybody's interest to hold or live in the vicinity of a property known as a "party house" and we will certainly endeavor to ensure this is not the case.

Thank you for your time and attention,

Sincerely yours

Jim Gruetzke - on behalf of Mr.Yuen Mo, Mr.Andreas Bernet

Date: August 29, 2014
To: Whistler City Council
From: Charles Steele, 604-902-4115
Re: Objection to Rezoning Permit 1091

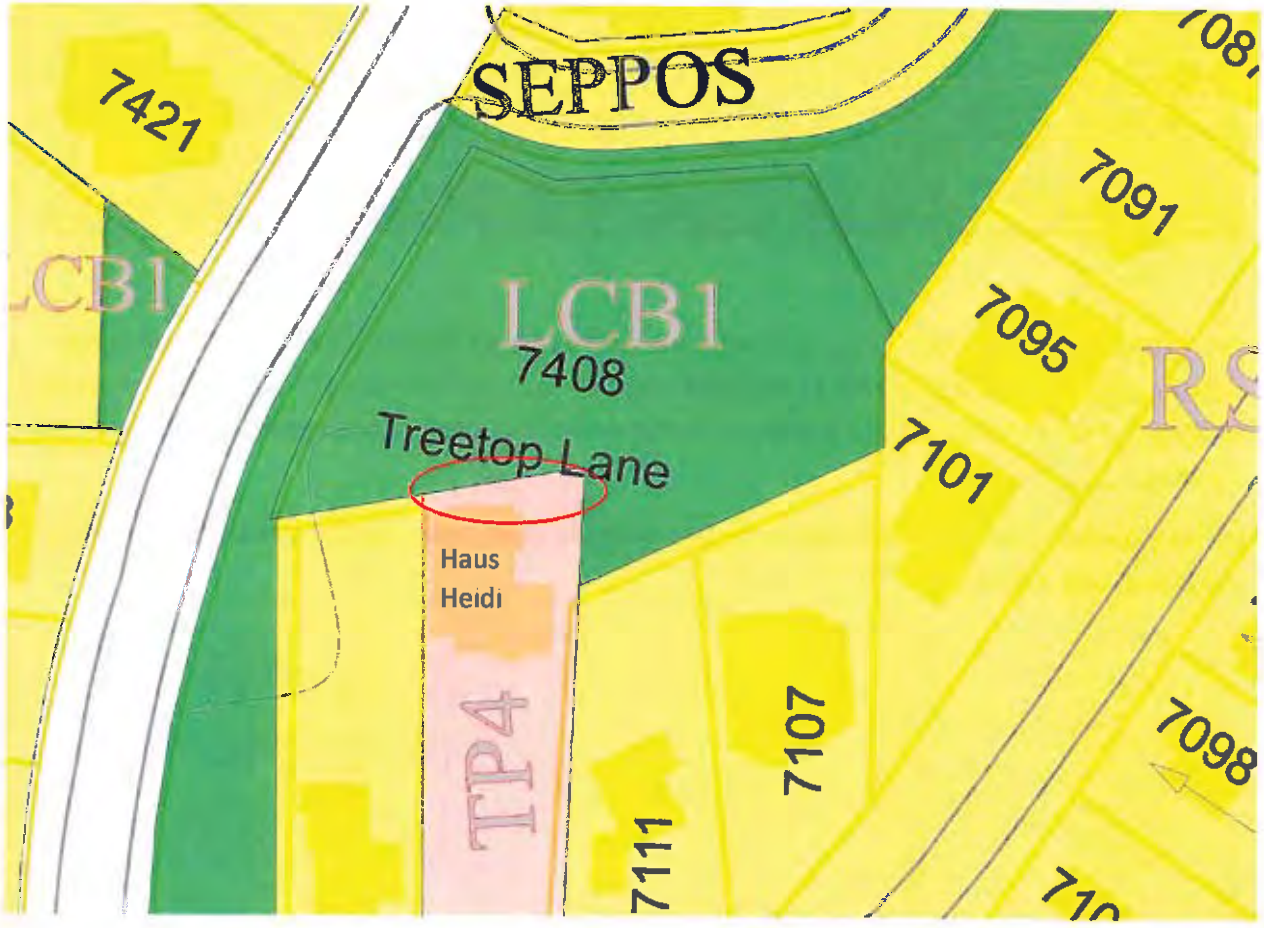
RECEIVED
SEP - 3 2014
RESORT EXPERIENCE PLANNING
RESORT MUNICIPALITY
OF WHISTLER

Dear Mayor and City Councillors:

I am writing to ask that Rezoning Application 1091 submitted by the business at 7115 Nesters Rd., called "Haus Heidi" be rejected.

This business has clear-cut the LCB1 tree reserve, built a retaining wall to fill and level the forest floor, and expanded their lot and built on it.

We purchased nearby property on the basis of the zoning map below, and the expectation of a permanent greenbelt enforced by municipal bylaws in the LCB1 zoned lot. Instead, Haus Heidi has clear-cut, filled, and built on it. Note the original small boundary between the back of Haus Heidi and the LCB1 zone.



And here is the new backyard created after the trees were removed, the fill brought in, and grass planted

Haus Heidi was instructed by by-law enforcement to restore what they had cut, but instead they brought in a bulldozer with loads of fill, built a retaining wall out of the trees they cut and scrap plywood in order to hold the fill to create a level backyard, added grass, and built a new building.

Is this allowed? Can any of the homes adjacent to the LCB1 zone cut the trees to expand the yards and add buildings?

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Is it allowed to build retaining walls in an LCB1 zone with the trees one cuts in an LCB1 zone in order to expand ones yard and build more structures?

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Our house was designed with nice touches like windows next to bathtubs and other elements that relied on privacy from the trees which are now gone. Not only is Haus Heidi's new back yard very visible, but even properties on Treetops Lane that were completely hidden by the reserve are now visible.

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All of this is an eyesore.

Furthermore, there are very large Cottonwood Trees (it is unclear whose property they are on), which are now subject to much more extreme swaying in the wind due to the removal of so many trees from the LCB1 land that had previously sheltered them. These very large trees may now need assessment by an arbourist and may also now require removal, though they are some of the last visual barrier remaining.

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This business should not be given zoning permission to expand, not only because it flouts the municipal bylaws, but also because it is highly disruptive to the neighbourhood. There does not appear to be any management or other supervision on the property when it is rented out to large groups of partiers who get completely out of control. Several times this summer we have been kept awake with bass thumping through the bedrooms – sometimes until 3:30 am – with drunken people screaming and urinating off of the balcony. And then woken again on Sunday morning. We have young children and this is an expensive residential neighbourhood. Phone calls to Haus Heidi were met with a full voicemail box. Is there supposed to be any management or staff at a place like that or anyone to contact other than the RCMP?

I ask the Council to enforce the bylaws upon which we relied when we purchased a home in Whistler. The retaining wall should be removed, the fill brought in should be removed, the forest floor should be returned to its natural elevation and grading, the excess building should be removed, the forest should be restored, and the excessive footprint of the facility and lot should return to what it is supposed to be.

Yours truly,
Charles Steele
7107 Nesters Rd.
Tel: 604-902-4115

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RZ1091

7115 Nesters Rd

Haus Heidi Pension

Surrounded by trees

Oct. 8/14

7111 Nesters Rd. Haus Heidi on the left
Front yard

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RZ1091

7115 Nesters Rd. Haus Heidi on the left
Back yard

7107 Nesters Rd
Back yard

Haus Heidi on the left

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RZ1091

7115 Nesters Rd. Haus Heidi
Backyard looking towards 7107 Nesters Rd

7115 Nesters Rd
Backyard

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RZ1091

7115 Nesters Rd
Back yard looking towards 7107 Nesters Rd

7119 Nesters Rd. Haus Heidi on the right, shed behind the trees, totally invisible

RECEIVED
NOV 04 2014
RESORT EXPERIENCE PLANNING
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RZ1091

Tree Top Lane towards shed

7115 Nesters Rd. Haus Heidi carport front

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NOV 04 2014
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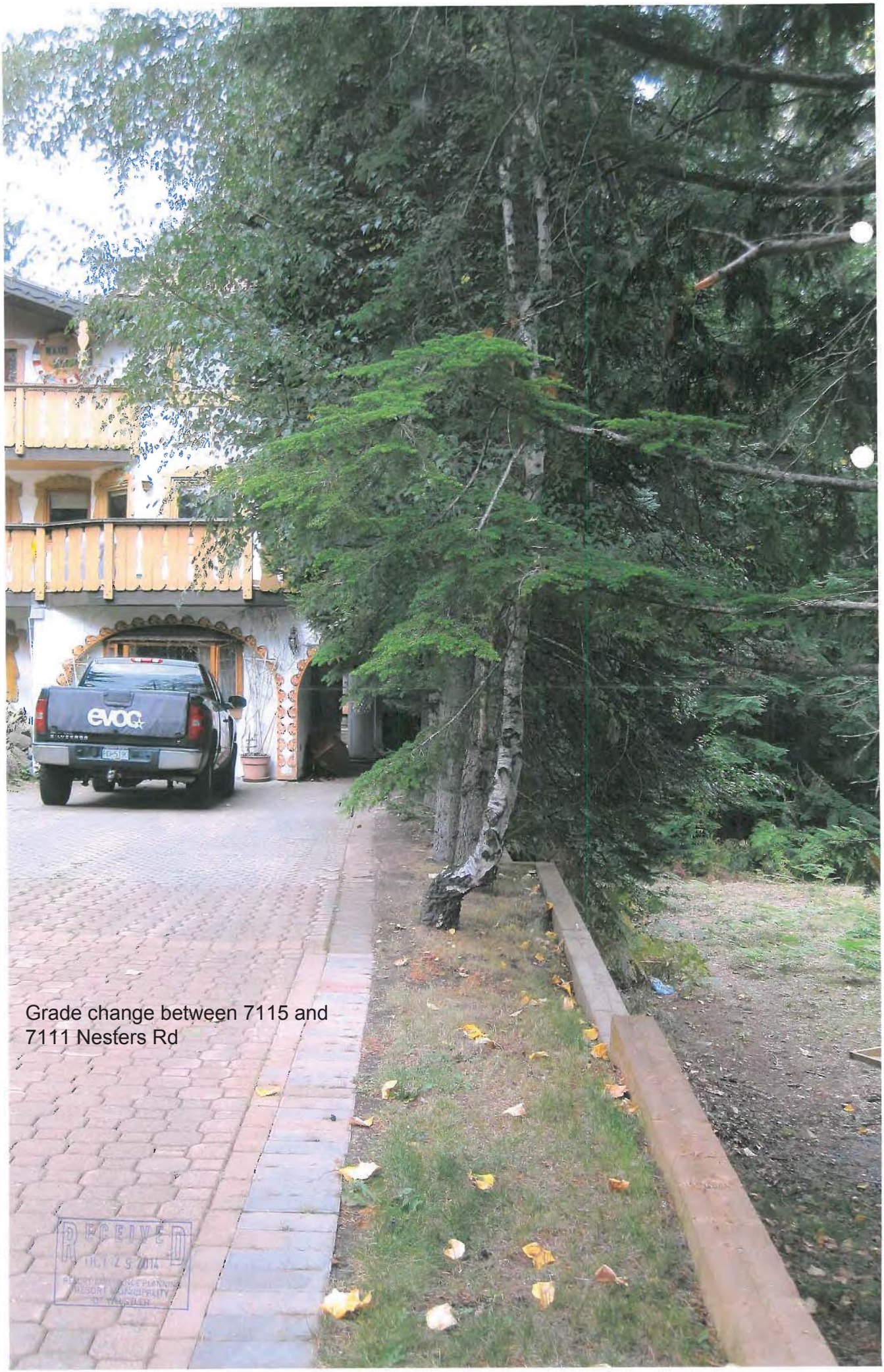
RZ1091

Haus Heidi carport + deck (back)



Grade change between 7115 and 7111 Nesters Rd

RECEIVED
JUL 25 2014
RESORT MUNICIPALITY OF WHISTLER

Existing side yard retaining wall between 7115 and 7111 Nesters Rd

View of Heidi Haus carport
and deck to be removed from the rear
yard of 7111 Nesters Road

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13 2015	**REPORT:**	15-011
FROM:	Resort Experience	**FILE:**	RZ 1101
SUBJECT:	ZONING AMENDMENTS - DEVELOPMENT PERMIT EXEMPTIONS		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving first and second readings to Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014.

PURPOSE OF REPORT

The purpose of this report is to describe proposed amendments to the Zoning and Parking Bylaw 303, 1983intended to change the RMOW's development permit processes to create exemptions to remove duplicative requirements for development permits.

DISCUSSION

Background

With the quashing of OCP Bylaw 1983 on June 4th 2014, the RMOW was required to revert back to the previous OCP; OCP Bylaw 1021. Under the updated OCP Bylaw 1983, most low density (i.e. single-family and duplex) areas were outside of designated development permit areas. Only developments on lands zoned RI1 (Residential Infill One), and development within 30 metres of the high water mark of a stream, or 100 metres of a large wetlands fell within development permit areas.

OCP Bylaw 1021 includes larger development permit areas that cover single-family and duplex neighbourhoods. The bylaw exempts single-family and duplex developments from "form and character" development permits but has no exemption for "environmental" or "hazardous conditions" development permits. OCP Bylaw 1021 was enacted before the provincial Riparian Areas Regulation (RAR) was adopted. When OCP bylaw 1983 was adopted, it was harmonized with the RAR and only those areas subject to the RAR were designated as development permit areas. RMOW bylaws and the BC Building Code allow hazardous conditions (e.g. soil stability) to be addressed at the building permit stage.

When OCP bylaw 1983 was quashed in June, the Land Use Procedures bylaw was immediately amended to incorporate the mandatory RAR requirements and the practice of addressing hazardous conditions at the building permit stage simply continued. Essentially, these actions upheld the intent of OCP 1983 and mandatory provincial requirements, but through different bylaws. However, under s. 920(1) of the *Local Government Act,* the requirement to obtain a development permit cannot be waived without an exemption in a zoning bylaw or OCP. Subsequently, OCP

Bylaw 1021 requires development permits for areas and circumstances that have been more efficiently addressed through other methods, creating a requirement for redundant development permits.

Approximately 23 developments have been required to apply for an additional development permit that would not otherwise be required. This has had an impact on development proposals (i.e. longer approval times) and staff resources (i.e. more applications to process).

In preparing the proposed amendments, staff have also noted that the terminology in the Zoning Bylaw is inconsistent with terminology in the provincial RAR, making interpreting the interrelated regulations difficult.

Proposed Bylaw

Under s. 919.1(3) of the *Local Government Act*, Development Permit guidelines—including exemptions—can be enacted in an OCP or Zoning Bylaw. The main purpose of the amendment bylaw is to amend the Zoning Bylaw to require development permits for single-family and duplex development only in the areas that were identified in OCP Bylaw 1983; i.e. Riparian Areas as outlined in the provincial regulations and the RI1 zone.

Historically, all development permit guidelines have been incorporated into the OCP. However, a provincial approval process for OCP adoption/amendments has yet to be established in light of the court decision; making the zoning option faster and more practical.

The bylaw also includes amendments to zoning definitions and terminology related to riparian areas and water bodies to make the bylaw more consistent with Provincial Legislation. The amendments include changing the terms “high water mark” and “natural boundary” The changes are entirely semantic, simply using terms that are the same as the Riparian Areas Regulation.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	1. Limits to growth are understood and respected. 7. Continuous encroachment on nature is avoided.	The proposed bylaw retains the requirement for development permits in environmentally sensitive areas. Changes to terminology for riparian area rules will make them easier to understand an implement.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	6. The built environment is safe and accessible for people of all abilities, anticipating and accommodating wellbeing needs and satisfying visitor expectations.	Hazardous conditions will still be addressed at the building permit stage. There is no increased exposure to risk.

OTHER POLICY CONSIDERATIONS

Official Community Plan

OCP	Comments
OCP Bylaw 1021	Given the objective of the OCP are addressed through other bylaws, the proposed amendments are not inconsistent with the objectives and policies of the current OCP.
OCP Bylaw 1983	Single-family and duplex developments are exempt under the policies of this OCP.

BUDGET CONSIDERATIONS

Costs associated with processing the proposed amendments have been provided for in the Planning Department operating budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

A Public Hearing is required prior to adopting the proposed zoning amendment bylaw.

SUMMARY

The proposed amendments will not increase risk exposure on hazard lands or potential damage to the environment. The amendments simply eliminate permit requirements that were made redundant with the reversion to OCP Bylaw 1021. The proposed bylaw amendments are in keeping with the intent of both the Official Community Plan and Whistler 2020. They are necessary to ensure consistent and efficient application processing and keep the planning department workloads to manageable levels. Staff recommend giving first and second readings to Zoning Amendment Bylaw (Development Permit Exemptions) 2071, 2014 as proposed.

Respectfully submitted,

Jake Belobaba
Senior Planner
for

Jan Jansen
General Manager of Resort Experience

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 13, 2015 **REPORT:** 15-009

FROM: Resort Experience **FILES:** RZ1083, RZ1086, RZ1087, RZ1089, RZ1092, RZ1093, Bylaw 2062

SUBJECT: BLUEBERRY LAND USE CONTRACT AMENDMENT TO THE GROSS FLOOR AREA DEFINITION

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider adoption of Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014.

REFERENCES

Location: 3345 Peak Drive (RZ1083)
Legal Description: Strata Lot 4 D.L 4751 Group 1 NWD Strata Plan LMS 1248 together with an interest in the common property in proportion to the unit entitlement.
Applicant: Brigitte Loranger Architecture & Planning Ltd.
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location: 3331 Nighthawk Lane (RZ1086)
Legal Description: Strata Lot 18 D.L 4751 Strata Plan VR2616 together with an interest in the common property in proportion to the unit entitlement
Applicant: Terrance K. Salman
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location: 3430 Blueberry Drive (RZ1087)
Legal Description: Strata Lot 5 D.L 4751 Strata Plan VR2476 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant: Terrance K. Salman
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location:	3415 Blueberry Drive (RZ1089)
Legal Description:	Strata Lot 1 D.L 4751 Strata Plan VR2580 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	Brigitte Loranger Architecture & Planning Ltd.
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

Location:	3358 Peak Drive (RZ1092)
Legal Description:	Strata Lot 1 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	Kat Sullivan A Sc. T. RBD
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

Location:	3341 Peak Drive (RZ1093)
Legal Description:	Strata Lot 5 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	David McColm, P.Eng.
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

Appendices:
- 'A' Document Package for Public Hearing, September 2, 2014
- 'B' Minutes of Public Hearing, September 2, 2014
- 'C' Public Hearing Presentation Slides, September 2, 2014
- 'D' Minutes of Regular Council Meeting, September 2, 2014

PURPOSE OF REPORT

This report presents Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014, a bylaw to amend the existing Blueberry Hill Land Use Contract's (BB LUC) gross floor area definition for these six properties to replace the existing gross floor area definition in the LUC with the definition in Zoning bylaw No. 303 with its' excluded floor areas with respect to basements, crawlspaces and void spaces.

A Land Use Contract Amendment follows the same approval process as a rezoning. The bylaw is currently before Council for consideration of adoption. All materials presented to the previous Council respecting Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 are appended to this report for Council's review and consideration.

DISCUSSION

The proposed land use contract amendment was initially presented to Council on August 5, 2014, and a public hearing for Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 was held on September 2, 2014. A complete description and analysis of the proposed land use contract amendment and amending bylaw are contained in the public hearing document package, public hearing minutes and public hearing presentation, attached as Appendices A – C.

Council gave first and second readings to Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 on August 5, 2014 (refer to Appendix A) and third reading to the zoning amendment bylaw on September 2, 2104 (refer to Appendix D).

WHISTLER 2020 ANALYSIS

An analysis of the applicable Whistler 2020 strategies and descriptions of success is contained in Administrative Report to Council No. 14-086, attached as part of Appendix A. Overall, the land use contract amendment supports the Whistler 2020 strategies of built environment, economic and finance.

OTHER POLICY CONSIDERATIONS

The land use contract amendment complies with Whistler's Official Community Plan and a summary evaluation is presented in Administrative Report to Council No. 14-086, attached as part of Appendix A.

Green Building Policy and legal considerations are presented in Administrative Report to Council No. 14-086, also attached as part of Appendix A.

BUDGET CONSIDERATIONS

Budget considerations are contained in Administrative Report to Council No. 14-086, attached as part of Appendix A.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required land use contract amendment application site information sign is posted on the property.

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 was the subject of a public hearing on September 2, 2014. The public hearing document package, public hearing minutes and public hearing presentation are attached as Appendices A – C.

SUMMARY

This report presents Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 for Council's consideration of adoption.

Respectfully submitted,

Robert Brennan, MCIP RPP
PLANNER, PLANNING DEPARTMENT
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX A

WHISTLER

AGENDA

PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, SEPTEMBER 2, 2014 STARTING AT 6:00 PM

In the Franz Wilhelmsen 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 "Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014" (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,

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

PURPOSE OF LAND USE CONTRACT AMENDMENT BYLAW (Blueberry Hill) No. 2062, 2014:

In general terms, the purpose of the proposed Bylaw is to amend the land use contract for the subject lands by replacing the contract's existing Gross Floor Area definition with "Zoning and Parking Bylaw No. 303, 1983" Gross Floor Area definition as follows:

"gross floor area" means the total area of all floors in all buildings on a parcel, measured to the outside surface of the exterior walls of the building including stairwells, basements and cellars but excluding areas specified in subsection 25.1 of Section 5.

Zoning and Parking Bylaw No. 303, 1983, Section 5.25.1:
The following are excluded from the gross floor area calculations:

For detached dwelling and duplex dwelling buildings:
(a) basement floor area having an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the

building, to a maximum of 125% of the floor area of the storey immediately above;
(b) crawl spaces;
(c) void spaces;
(d) parking areas;
(e) elevators;
(f) areas occupied by fixed machinery and equipment; and
(g) exterior wall thickness in excess of 6” (152mm).

Explanation	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

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014		
Document Type	**Date**	**Details**
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing
Bylaw		Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014
Council Minutes	8-Aug-14	Minutes of the Regular Meeting of Council
Council Report 14-070	8-Aug-14	Administrative Report to Council
Presentation Slides	8-Aug-14	Presentation slides from August 8, 2014
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 FAX 604 932 8109

NOTICE OF PUBLIC HEARING

TUESDAY, SEPTEMBER 2, 2014 – 6:00 P.M.
MAURICE YOUNG MILLENNIUM PLACE
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

LAND USE CONTRACT AMENDMENT BYLAW (BLUEBERRY HILL) NO. 2062, 2014

SUBJECT LANDS: 3341, 3345 and 3358 Peak Drive, 3415 and 3430 Blueberry Drive, and 3331 Nighthawk Lane

More specifically these lands are described as:

3341 Peak Drive, Strata Lot 5 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot legally described as PID: 018-641-474;

3345 Peak Drive, Strata Lot 4 D.L 4751 Group 1 NWD Strata Plan LMS 1248 together with an interest in the common property in proportion to the unit entitlement legally described as PID: 018-641-466;

3358 Peak Drive, Strata Lot 1 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot legally described as PID: 018-641-431;

3415 Blueberry Drive, Strata Lot 1 D.L 4751 Strata Plan VR2580 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot legally described as PID: 015-688-402;

3430 Blueberry Drive, Strata Lot 5 D.L 4751 Strata Plan VR2476 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot legally described as PID: 014-717-361; and

3331 Nighthawk Lane, Strata Lot 18 D.L 4751 Strata Plan VR2616 together with an interest in the common property in proportion to the unit entitlement legally described as PID: 017-739-357,

as shown outlined on the map attached to this notice.

PURPOSE:
In general terms, the purpose of the proposed Bylaw is to amend the land use contract for the subject lands by replacing the contract's existing Gross Floor Area definition with "Zoning and Parking Bylaw No. 303, 1983" Gross Floor Area definition as follows:

"gross floor area" means the total area of all floors in all buildings on a parcel, measured to the outside surface of the exterior walls of the building including stairwells, basements and cellars but excluding areas specified in subsection 25.1 of Section 5.

Zoning and Parking Bylaw No. 303, 1983, Section 5.25.1:

The following are excluded from the gross floor area calculations:

For detached dwelling and duplex dwelling buildings:

(a) basement floor area having an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building, to a maximum of 125% of the floor area of the storey immediately above;
(b) crawl spaces;
(c) void spaces;
(d) parking areas;
(e) elevators;
(f) areas occupied by fixed machinery and equipment; and
(g) exterior wall thickness in excess of 6" (152mm).

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 September 2, 2014), 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, from August 21, 2014 to September 2, 2014 (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 September 2, 2014):

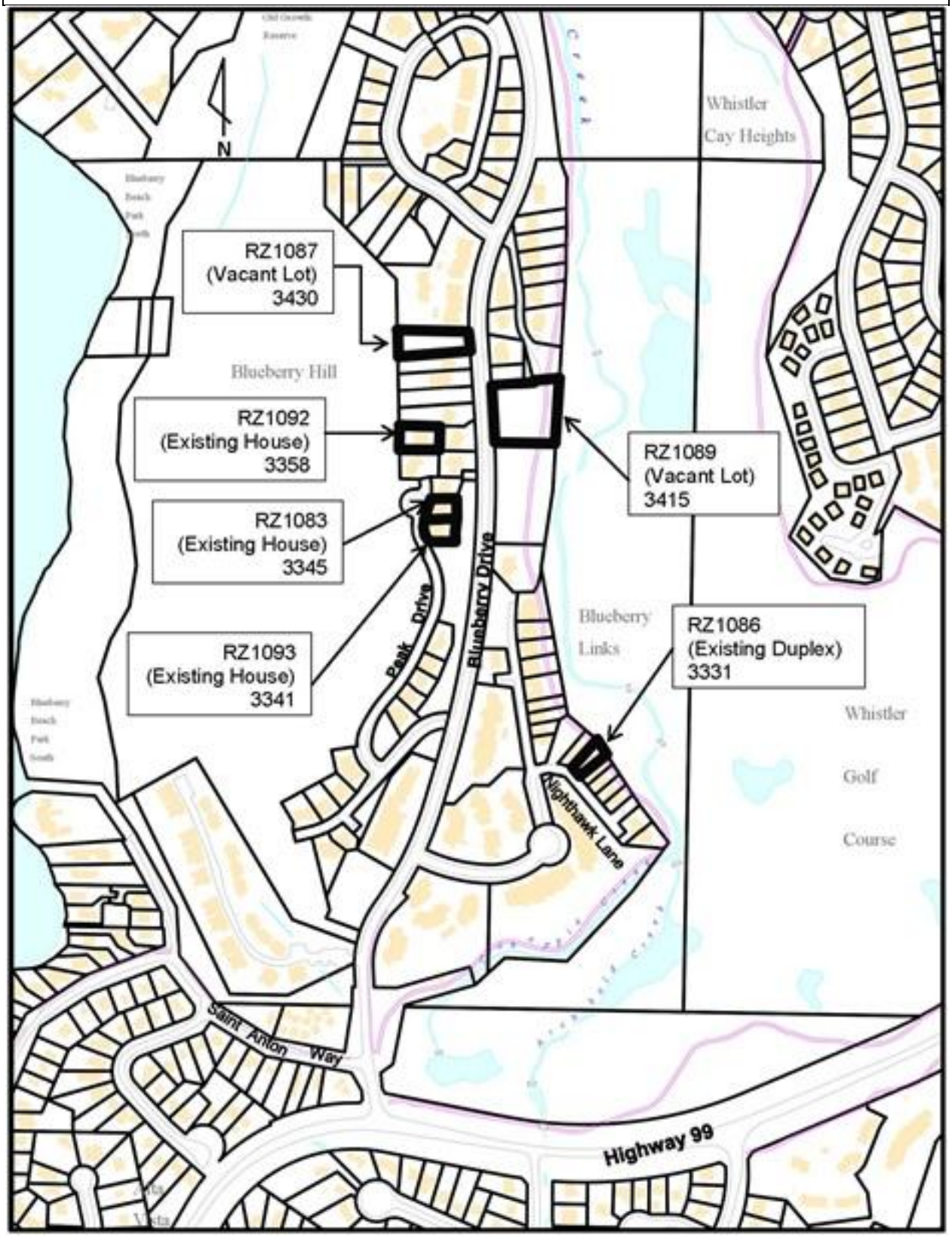
Email: corporate@whistler.ca
Fax: 604-935-8109
Hard Copy: Legislative Services Department
4325 Blackcomb Way
Whistler BC V0N 1B4

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.

Shannon Story
Corporate Officer

LAND USE CONTRACT AMENDMENT BYLAW
(BLUEBERRY HILL) NO. 2062, 2014
SUBJECT LANDS – 3341, 3345 AND 3358 PEAK DRIVE, 3415 AND 3430 BLUEBERRY DRIVE AND 3331 NIGHTHAWK LANE



RESORT MUNICIPALITY OF WHISTLER
LAND USE CONTRACT AMENDMENT BYLAW (BLUEBERRY HILL) NO. 2062, 2014

A BYLAW TO AMEND A LAND USE CONTRACT

WHEREAS a land use contract may, under s.930 of the *Local Government Act*, be amended by bylaw with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the amendment; and

WHEREAS the owners of strata lots in the Resort Municipality that are subject to a land use contract have consented in writing to the amendment of a land use contract charging those strata lots, in order that certain provisions of the contract will be consistent with the provisions of the Resort Municipality's Zoning and Parking Bylaw;

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 "Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014"

2. This bylaw applies to lands whose legal descriptions are set out on Schedule A.

3. That certain land use contract registered in the Vancouver Land Title Office under No. G2947 on January 11, 1979, as subsequently amended under Nos. M1301, GC43586 and BG279304, is further amended as set out in Schedule B in respect of the lands to which this bylaw applies, and the Corporate Officer shall register a certified copy of this bylaw in the Land Title Office in accordance with the *Land Title Act* and Section 930(9) of the *Local Government Act*.

Given first and second readings this 8th day of August, 2014.

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

Given third reading this _____ day of _____, ____.

Approved by the Minister of Transportation 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 Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014.

_____
Shannon Story,
Corporate Officer

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

SCHEDULE A

Parcel Identifier and Legal Description
PID 014-717-361 Strata Lot 5 District Lot 4751 Strata Plan VR2476
PID 015-688-402 Strata Lot 1 District Lot 4751 Strata Plan VR 2580
PID 017-739-357 Strata Lot 18 District Lot 4751 Strata Plan VR2616
PID 018-641-431 Strata Lot 1 District Lot 4751 Strata Plan LMS1248
PID 018-641-466 Strata Lot 4 District Lot 4751 Strata Plan LMS1248
PID 018-641-474 Strata Lot 5 District Lot 4751 Strata Plan LMS1248

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

SCHEDULE B

Section 2(h) of the Land Use Contract is replaced with the following:

“gross floor area” means gross floor area as defined in Resort Municipality of Whistler Zoning and Parking Bylaw No. 303 as amended from time to time, excluding areas specified in subsection 25.1 of Section 5 of the bylaw as amended from time to time;

Mayor Wilhelm-Morden reported that AWARE has partnered with the RMOW to create a twist on the annual EnviroFest called "Crafty by Nature + EnviroFest". The event celebrates our natural environment and takes place on August 31 at Rebagliati Park. A variety of non-profit groups are hosting nature crafts, workshops, live music, a veggie burger BBQ contest, and children's games and activities.

Mayor Wilhelm-Morden reported that the new Fall Winter Recreation Guide will be online at whistler.ca on August 8. The guide lists the broad variety of recreation offered by the RMOW.

J. Grills commented on the locals and visitors cheering on the athletes, particularly the runners in the evening. He thanked the locals and visitors who make IRONMAN a special event.

ADMINISTRATIVE REPORTS

Festivals, Events & Animation – 2015 Early Funding
Report No. 14-094
File No. 8216.09

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That $1,200,000 from the Resort Municipality Initiative (RMI) reserve be allocated to Festivals, Events & Animation (FE&A) in order to initiate the 2015 FE&A program.

CARRIED

Blueberry Land Use Contract Amendment to the Gross Floor Area Definition
Report No. 14-086
File No. RZ1083, RZ1086, RZ1087, RZ1089, RZ1092, RZ1093, Bylaw 2062

Moved by Councillor J. Crompton
Seconded by Councillor R. McCarthy

That Council consider giving first and second readings to Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014; and,

That Council authorize the Corporate Officer to schedule a public hearing regarding Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 and to advertise for same in the local newspapers; and further,

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

CARRIED

2010 London Lane – Rezoning Proposal to Change Permitted Uses
Report No. 14-087
File No. RZ1080

Moved by Councillor R. McCarthy
Seconded by Councillor J. Crompton

That Council endorse further review of Rezoning Application No. 1080; and further,

That Council direct staff to prepare the necessary zoning amendment bylaw for Council consideration.

CARRIED

DRAFT

Response to Emergency Incidents Outside the Jurisdiction of the Resort Municipality of Whistler
Report No. 14-096
File No. 4800

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That Council authorize the Whistler Fire Rescue Services to continue to respond to emergency incidents outside the jurisdiction of the Resort Municipality of Whistler; and further,

That Council authorize the RMOW to engage in discussions with the SLRD on fire response in areas bordering the RMOW.

CARRIED

POLICY REPORTS

Civic Service Awards Policy
Report No. 14-097
File No. 3010

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That Council adopt the Civic Service Awards Policy attached as Appendix A to Policy Report No. 14-097.

CARRIED

BYLAWS FOR FIRST AND SECOND READING

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

Moved by Councillor J. Crompton
Seconded by Councillor R. McCarthy

That Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 receive first and second readings.

CARRIED

BYLAWS TO RESCIND THIRD READING

Zoning Amendment Bylaw (MC1 Zone – Mountain Commercial One) No. 2057, 2014

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That third reading be rescinded for Zoning Amendment Bylaw (MC1 Zone – Mountain Commercial One) No. 2057, 2014.

CARRIED

BYLAWS FOR THIRD READING AS AMENDED

Zoning Amendment Bylaw (MC1 Zone – Mountain Commercial One) No. 2057, 2014

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

That Zoning Amendment Bylaw (MC1 Zone – Mountain Commercial One) No. 2057, 2014 receive third reading as amended.

CARRIED

DRAFT

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: August 5, 2014 **REPORT:** 14-086

FROM: Resort Experience **FILES:** RZ1083, RZ1086, RZ1087, RZ1089, RZ1092, RZ1093, Bylaw 2062

SUBJECT: BLUEBERRY LAND USE CONTRACT AMENDMENT TO THE GROSS FLOOR AREA DEFINITION

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 Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014; and,

That Council authorize the Corporate Officer to schedule a public hearing regarding Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 and to advertise for same in the local newspapers; and further,

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

REFERENCES

Appendices: "A" Location Map

Location: 3345 Peak Drive (RZ1083)
Legal Description: Strata Lot 4 D.L 4751 Group 1 NWD Strata Plan LMS 1248 together with an interest in the common property in proportion to the unit entitlement.
Applicant: Brigitte Loranger Architecture & Planning Ltd.
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location: 3331 Nighthawk Lane (RZ1086)
Legal Description: Strata Lot 18 D.L 4751 Strata Plan VR2616 together with an interest in the common property in proportion to the unit entitlement
Applicant: Terrance K. Salman
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location: 3430 Blueberry Drive (RZ1087)
Legal Description: Strata Lot 5 D.L 4751 Strata Plan VR2476 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant: Terrance K. Salman
Zoning: Blueberry Hill Land Use Contract (BB LUC)

Location:	3415 Blueberry Drive (RZ1089)
Legal Description:	Strata Lot 1 D.L 4751 Strata Plan VR2580 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	Brigitte Loranger Architecture & Planning Ltd.
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

Location:	3358 Peak Drive (RZ1092)
Legal Description:	Strata Lot 1 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	Kat Sullivan A Sc. T. RBD
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

Location:	3341 Peak Drive (RZ1093)
Legal Description:	Strata Lot 5 D.L 4751 Group 1 NWD Strata Plan LMS1248 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot
Applicant:	David McColm, P.Eng.
Zoning:	Blueberry Hill Land Use Contract (BB LUC)

PURPOSE

This report describes the proposed land use contract amendment for the noted subject properties. The owners of the six properties have applied to amend the existing Blueberry Hill Land Use Contract's (BB LUC) gross floor area definition for their properties to replace the existing gross floor area definition in the LUC with the definition in Zoning Bylaw No. 303 with its' excluded floor areas with respect to basements, crawlspaces and void spaces. The six properties are shown on the Location Map attached as Appendix A.

DISCUSSION

Background

On May 12, 2012, Council amended the Zoning Bylaw to permit basement floor areas, defined as an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building, to a maximum of 125% of the floor area of the storey immediately above, to be excluded from the gross floor area calculation for all detached and duplex dwelling unit building types in the municipality. The amendment also eliminated the option for new over-height crawlspaces by covenant, and limited all crawl spaces and void spaces to a maximum height of 1.5 metres.

At that time, Council also supported applying similar floor area exclusions within detached and duplex dwelling unit building types that were not regulated by the Zoning Bylaws, but controlled by other land use regulations (i.e. land use contracts, covenants, etc.) through the appropriate process. This report outlines the process to amend the existing BB LUC for these six properties to achieve this objective.

The applications for 3358, 3345 and 3341 Peak Drive are properties with existing constructed detached homes. There are existing spaces that could be legitimized applying the exclusions from the GFA calculation as permitted under the zoning bylaw.

The applications for 3430 and 3415 Blueberry Drive are properties that are vacant lots. In both of these cases, design concepts could incorporate an excluded basement floor area that would comply with the Zoning Bylaw No. 303 definition for exclusion from the GFA calculation. Therefore, the applicants have applied on behalf of the owners to have the GFA definition in the BB LUC amended so that they can prepare design concepts that would incorporate excluded basement floor area.

The application for 3331 Nighthawk Lane is for the dwelling unit that is one side of an existing duplex at 3329/3331 Nighthawk Lane. The only connection between the two units is a breezeway. The subject unit has an existing crawlspace that could be legitimized applying the GFA exclusions in Zoning Bylaw No. 303.

In addition to the BB LUC regulations, some of these properties also have restrictive covenants regulating how existing over height crawlspaces can be used. Staff will work with the applicants and municipal solicitor to prepare the necessary legal documents to amend or remove these restrictive covenants as appropriate to be consistent with the municipality's zoning bylaw. Staff seeks Council to authorize that the Mayor and Corporate Officer be authorized to execute any necessary legal documents for these applications.

Land Use Contract Amendment Proposal

On November 28, 1983, the existing BB LUC definition for gross floor area (GFA) was adopted by amending bylaw No. 355 and is as follows:

> "gross floor area means the total floor area of all buildings on a parcel or land within the boundaries of a strata plan measured to the outer limits of a building including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas, **but excluding auxiliary parking, unenclosed swimming pools, hot tubs or saunas or sundecks, elevators or ventilating machinery, unenclosed stairwells, balconies, porches, canopies, sun shades, and any other similar features to the extent which such features are permitted in the front, side, and rear setbacks under the Zoning By-law of the Municipality**;…". (Emphasis added by report author)

This means, properties with detached and duplex dwellings regulated by the BB LUC are controlled by this GFA definition and therefore the basement floor area exclusion from the GFA calculation under the Zoning Bylaw No. 303 is not permitted.

The proposed Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 replaces the current land use contract GFA definition for the subject properties with the following:

> "gross floor area" means gross floor area as defined in Resort Municipality of Whistler Zoning and Parking Bylaw No. 303 as amended from time to time, excluding areas specified in subsection 25.1 of Section 5 of the bylaw as amended from time to time."

This amendment would permit these BB LUC properties to exclude floor areas from the GFA calculation where the floor area is consistent with the Zoning Bylaw No. 303 definition, including basement floor area and redefined over height crawlspaces.

WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies of built environment, economic and finance.

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to growth are understood and respected.	The building modifications are consistent with Council direction for permitting excluded basement gross floor area for detached and duplex dwelling unit types.
	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses.	
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	Many local contractors, designers and suppliers benefit from being able to assist property owners to improve their homes.
Finance	Financial principles, practices and tools employed by the municipality effectively and efficiently balance its costs and expenditures.	The fee and rate schedule is based on a cost recovery principle so that the applicant pays for the cost of processing the application.

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

OTHER POLICY CONSIDERATIONS

Blueberry Hill Land Use Contract

All other BB LUC regulations for these properties concerning building setbacks, height, site coverage, permitted uses, parking requirements, etc. remain in effect. It is the responsibility of the property owners for each property to ensure their proposals comply with these regulations and requirements.

Other registered covenants on title

All registered building schemes, strata bylaws, statutory rights of way, easements, etc. on the properties remain in effect. It is the responsibility of the property owners for each property to ensure their proposals comply with all other registered requirements.

Official Community Plan

Whistler's Official Community Plan Bylaw No. 1021, 1993 (1993 OCP), which is in effect, outlines specific items for review with respect to rezoning applications. The proposed land use contract amendment to amend the gross floor area definition is similar to a rezoning application. A brief summary follows in Table 1. The proposal is consistent with all applicable policies of the OCP.

Table 1: OCP Criteria for Evaluating Proposals for Zoning (LUC) Amendments

OCP Criteria	Comments
Proposals that increase the bed unit capacity of the municipality will only be considered if the development: provides clear and substantial benefits to the resort; is supported by the community in the opinion of Council; will not cause unacceptable impacts on the community, resort or environment; and meets all applicable criteria set out in the OCP.	The proposal does not increase the bed unit capacity.
Capable of being served by Municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Comply with Environmental Impact Assessment process in Schedule O.	Per Schedule M and N of the OCP, the site does not have any environmental constraints or development constraints.
Traffic volumes and patterns on Highway 99 and the local road system.	The proposal does not increase the number of units or the parking requirements.
Overall patterns of development of the community and resort	The lands are identified on Schedule B – Development Areas and per Policy 4.1.1, the lands outlined in Schedule B are designated for development of accommodation.
Municipal Finance	Works and service charges will be payable.
Views and Scenery	Building height and setbacks would not change from that permitted under existing zoning.
Existing Community and Recreation Facilities	n/a
Employee Housing	Employee works and service charges are not payable.
Community greenhouse gas emissions	These are either existing dwelling units or approved lots as part of the subdivision within the LUC. Any projected emissions increase for this minor amount of development does not require incorporation of extraordinary measures to minimize and/or mitigate any projected emissions other than adherence to the British Columbia Building Code.
Heritage Resources	n/a
No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	No impact.

BUDGET CONSIDERATIONS

Proposed renovations or new construction will be subject to building permit fees at time of building permit application.

All costs associated with staff time for the land use contract amendment 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 land use contract amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

An information sign is posted on each subject property to allow for public inquires about the applications. A public hearing, which is subject to public notice requirements, is required as part of the statutory process for bylaw consideration and adoption.

Staff has received phone inquiries from other residents and property owners in the Blueberry Hill Land Use Contract seeking clarification of the proposal and/or information on the LUC amendment process for considering similar applications in the future.

SUMMARY

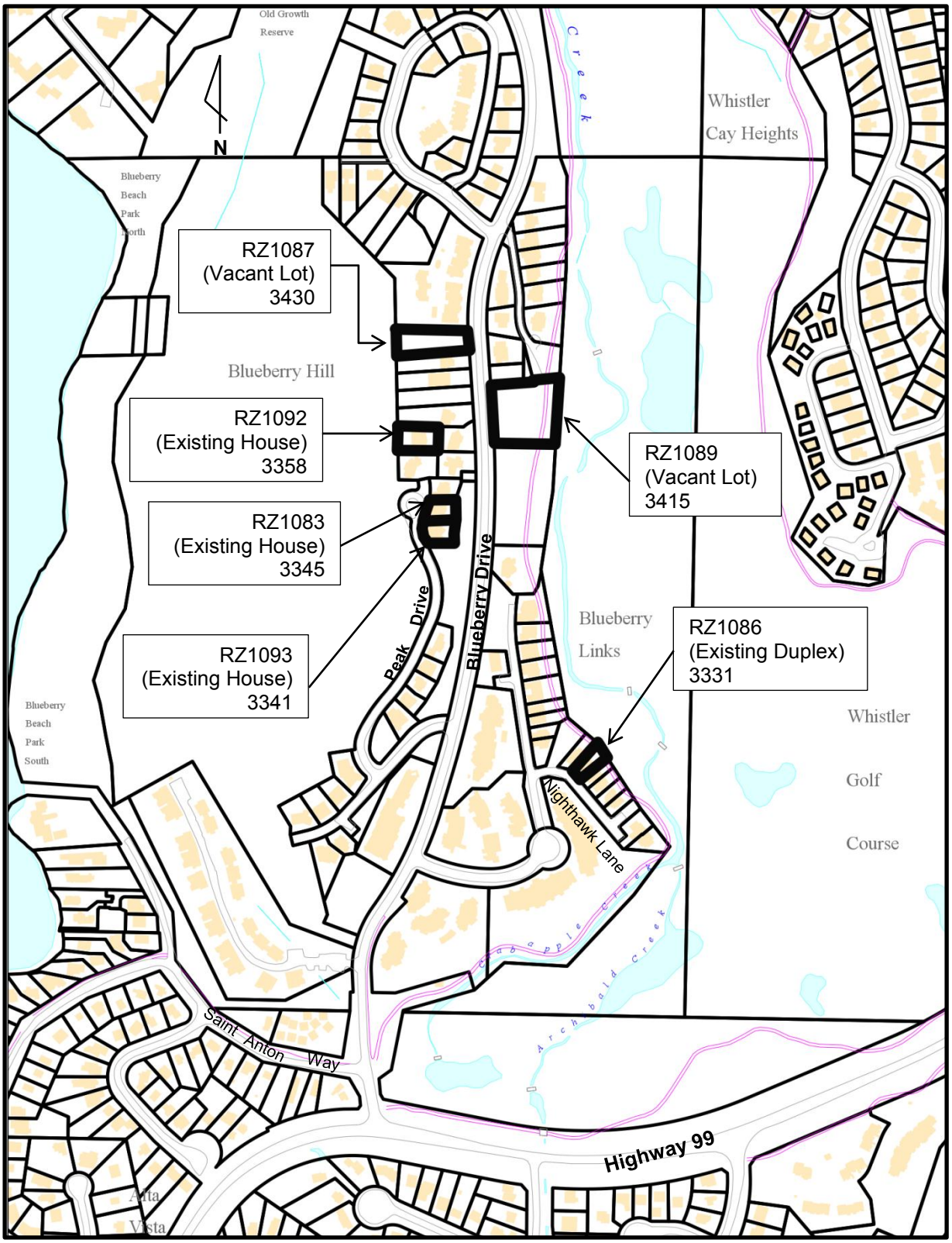
This report presents Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 for six land use contract amendment applications located at 3358, 3345 and 3341 Peak Drive, 3430 and 34115 Blueberry Drive and 3331 Nighthawk Lane. The land use contract amendment will create a revised definition for gross floor area for the subject properties to permit excluded basement floor areas from the gross floor area calculation as permitted in other detached and duplex buildings regulated by the Zoning Bylaw No. 303. The report recommends Council consider first and second readings and scheduling of a public hearing.

Respectfully submitted,

Robert Brennan MCIP RPP
PLANNER
for
Jan Jansen
GENERAL MANAGER, RESORT EXPERIENCE

APPENDIX A

LOCATION MAP
BLUEBERRY LAND USE CONTRACT AMENDMENT APPLICATIONS



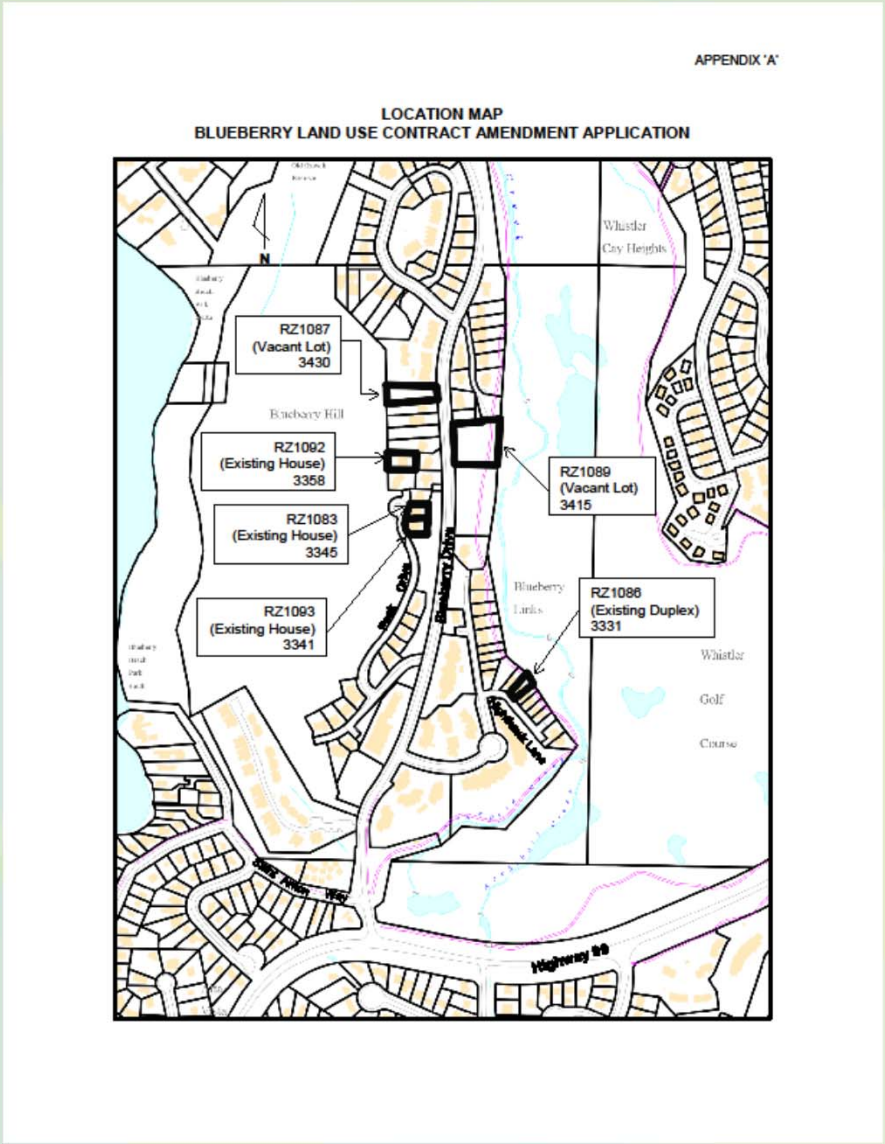
RZ1083, RZ1086, RZ1087, RZ1089, RZ1092 and RZ1093

Blueberry Land Use Contract Amendment – 1st and 2nd Readings of LUC Amendment Bylaw

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
Whistler, British Columbia
Canada V0N 1B4
www.whistler.ca
TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109

WHISTLER

Subject Lands



- Blueberry LUC area developed in 1980s
- Applications:
  - ✓ 5 detached lots (2 are vacant lots)
  - ✓ 1 side of a duplex
- Steep topography, mature trees on sloped areas
- Mixed detached, duplex and multiple family units
- Between Blueberry Hill Park and Whistler Golf Course

Background

- May 12, 2012, Council amended gross floor area (GFA) definition to permit excluded floor areas with respect to defined basement, crawlspace and void spaces for all detached and duplex dwelling units in the RMOW.
- At that time, Council also supported applying similar GFA exclusions within detached and duplex dwellings regulated by other land use regulations (i.e. Land Use Contracts) through the appropriate process
- This report outlines the process to amend the existing Blueberry Land Use Contract (BB LUC) for these six application to achieve this objective.

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

- Purpose of amending bylaw:
  - ✓ Current BB LUC does not permit exclusion of basements from GFA calculation
- Proposed change:
  - ✓ Replace the current BB LUC definition on subject properties with the Zoning and Parking Bylaw No. 303 GFA definition and its permitted exclusions
- Remains unchanged:
  - ✓ Other LUC regulations (i.e. height, setbacks, permitted uses)
  - ✓ Building schemes
  - ✓ Strata bylaws
  - ✓ Statutory rights of way and/or easements
  - ✓ Responsibility of property owners to comply with all regulations

Other regulations

- In addition to the land use contract, some properties have restrictive covenants registered on title (i.e. over height crawlspace use)
- Staff will prepare the necessary legal documents to amend or remove these as appropriate to be consistent with the proposed GFA definition.
- Staff are requesting Council authorize the Mayor and Corporate officer to execute any of these necessary legal documents for these applications.

Policy Considerations

- Council May 2012 adopted GFA amendments
  - ✓ GFA definition amended to streamline process to legitimize existing developed spaces
    - 4 out of 6 applications will legitimize spaces
    - Remaining 2 applications are vacant lots.
- W2020 Analysis:
  - ✓ Built Environment
    - construct buildings to be efficient, durable and flexible for changing and long-term uses
  - ✓ Economic
    - local contractors, designers and suppliers benefit from being able to assist property owners to improve their homes
  - ✓ Finance
    - Fee schedule based on cost recovery so applicant pays for the cost of processing
- Proposal consistent with Council and W2020 objectives

Policy Considerations

- OCP considerations
  - ✓ Residential area
    - Designated for accommodation development
  - ✓ “Zoning” criteria for consideration:
    - Proposal does not increase bed unit capacity
    - Served by municipal services
    - Accessible by local roads
    - Traffic volumes and patterns on Highway 99 & local roads – minimal impact
    - No impact on municipal trail system, recreation area or open spaces
    - Not in environmental designated areas
- Proposal consistent with OCP considerations

Community Engagement

- Land Use Contract amendment Information signs posted on each property
- Proposal consistent with:
  - ✓ May 2012 Council adopted GFA amendments
  - ✓ W2020
  - ✓ OCP

  therefore a Public Open House not proposed
- Public Hearing required after 2nd reading of amending bylaw

Recommendation

- That Council consider giving first and second readings to Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014; and
- That Council authorize the Corporate Officer to schedule a public hearing regarding Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 and to advertise for same in the local newspapers; and further,
- That Council authorize the Mayor and Corporate Officer to execute any necessary legal documents for this application.

Questions

WHISTLER

MINUTES

PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, SEPTEMBER 2, 2014 STARTING AT 6:00 PM

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

PRESENT

Mayor N. Wilhelm-Morden

Councillors: J. Crompton, J. Grills, D. Jackson, A. Janyk, and R. McCarthy

ABSENT: Councillor J. Faulkner

Chief Administrative Officer, M. Furey
General Manager of Corporate and Community Services, N. McPhail
General Manager of Infrastructure Services, J. Paul
General Manager of Resort Experience, J. Jansen
Director of Finance, K. Roggeman
Director of Planning, M. Kirkegaard
Manager of Communications, M. Comeau
Planner, R. Brennan
Acting Deputy Corporate Officer and Recording Secretary, A. Winkle

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 "Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014" (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, in general terms, the purpose of the proposed Bylaw is to amend the land use contract for the subject lands by

replacing the contract's existing Gross Floor Area definition with "Zoning and Parking Bylaw No. 303, 1983" Gross Floor Area definition as follows:

"gross floor area" means the total area of all floors in all buildings on a parcel, measured to the outside surface of the exterior walls of the building including stairwells, basements and cellars but excluding areas specified in subsection 25.1 of Section 5.

Explanation — An explanation was given by Robert Brennan, Planner, concerning the proposed Bylaw.

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

No submissions were made by the public.

Correspondence — Allison Winkle, on behalf of the Corporate Officer, indicated that no correspondence was received regarding the proposed Bylaw.

ADJOURNMENT

Hearing no further comments, the Public Hearing adjourned at 6:08 p.m.

_____
Mayor: N. Wilhelm-Morden

_____
Acting Deputy Corporate Officer: A. Winkle

RZ1083, RZ1086, RZ1087, RZ1089, RZ1092 and RZ1093

Blueberry Land Use Contract – 1st and 2nd Readings of LUC Amendment Bylaw

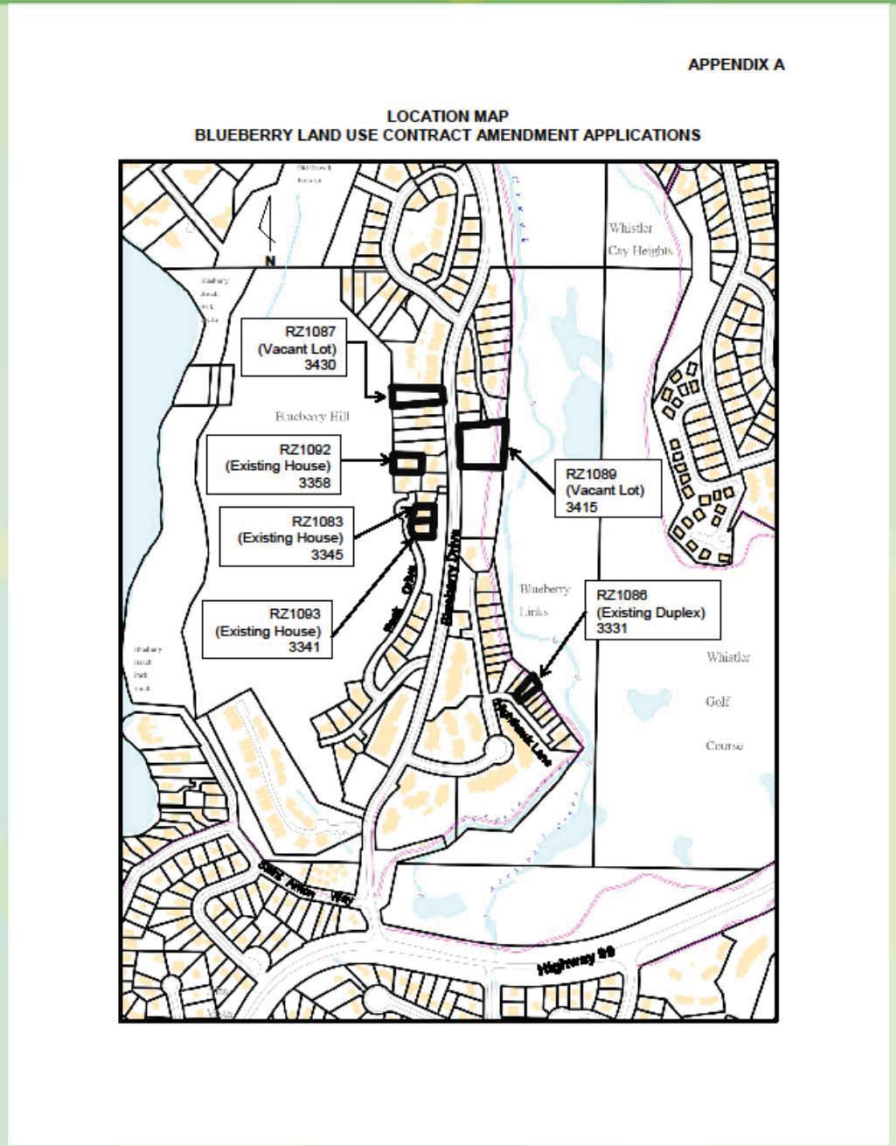
Public Hearing Presentation

September 2, 2014

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
Whistler, British Columbia
Canada V0N 1B4
www.whistler.ca
TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109

WHISTLER

Subject Lands



- Blueberry LUC area developed in 1980s
- Applications:
  - ✓ 4 developed lots (3 detached, 1 duplex)
  - ✓ 2 vacant lots
- Steep topography with mature trees on many sloped areas
- Mixed detached, duplex and multiple family units
- Between Blueberry Hill Park and Whistler Golf Course

Summary to date

- May 12, 2012, Council:
  - ✓ amended gross floor area (GFA) definition in Zoning Bylaw No. 303 to permit excluded floor areas in detached and duplex dwellings to encourage owners to legitimize developed, basement, crawlspace and void spaces in the RMOW
  - ✓ Council also supported applying similar GFA exclusions within detached and duplex dwellings regulated by land use regulations other than the Zoning Bylaw (i.e. a Land Use Contract (LUC))
- March 2014, LUC applications consistent with Council direction.
- On August 5, 2014 Council:
  - ✓ Gave 1st and 2nd readings to LUC Amendment Bylaw No. 2062, 2014
  - ✓ Authorized the scheduling of a public hearing for LUC Amendment Bylaw

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

- Purpose of amending bylaw:
  - ✓ to permit legitimization of developed space in detached and duplex lots regulated by the BB LUC that are consistent with exclusions from GFA calculation in the Zoning Bylaw.
- Proposed change:
  - ✓ Replace the current BB LUC GFA definition on subject properties with the Zoning and Parking Bylaw No. 303 GFA definition and its permitted defined exclusions (i.e. basements, crawlspaces)
- Remains unchanged:
  - ✓ Other LUC regulations (i.e. height, setbacks, permitted uses)
  - ✓ Building schemes
  - ✓ Strata bylaws
  - ✓ Statutory rights of way and/or easements
  - ✓ Responsibility of property owners to comply with all regulations

Policy Considerations

- W2020 Analysis:
  - ✓ Built Environment
    - construct to be efficient, durable and flexible for changing and long-term uses
  - ✓ Economic
    - local contractors ,designers and suppliers benefit from being able to assist property owners to improve their homes
  - ✓ Finance
    - Fee schedule based on cost recovery so applicant pays for the cost of processing
- Proposal consistent with W2020 objectives

Policy Considerations

- OCP considerations
  - ✓ Residential area
    - Designated for accommodation development
  - ✓ "Zoning" criteria for consideration:
    - Proposal does not increase bed unit capacity
    - Served by municipal services
    - Accessible by local roads
    - Traffic volumes and patterns on Highway 99 & local roads – minimal impact
    - No impact on municipal trail system, recreation area or open spaces
    - Not in environmental designated areas
- Proposal consistent with OCP considerations

Community Engagement

- Information signs have been posted on each subject property since Spring 2014.
- Local Government Act requires a Public Hearing for Land Use Contract Amendments which amend use or density of the Land Use Contract.
- As of September 2nd, 2014, no written correspondence for or against have been received by staff regarding the proposed land use contract amendment applications.

Conditions of Adoption

- That Council authorize the Mayor and Corporate Officer to execute any necessary legal documents for the applications.

Questions

At 6:01 p.m. a Public Hearing was held for Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014.

At 6:08 p.m. the meeting resumed.

AS0002 - 4369 Main Street Telus Rooftop Antennae and Radio Cabinet Application
Report No. 14-104
File No. AS0002

Moved by Councillor R. McCarthy
Seconded by Councillor D. Jackson

That Council authorize the issuance of a letter of concurrence (support) to Industry Canada for the proposed Telus rooftop antennae and radio cabinets as shown in the plans prepared by GS Sayers Engineering Ltd. (S101, S301-303, S401-403) dated February 2014 and attached as Appendix B to Administrative Report No. 14-104.

CARRIED

Alpine Water Main Replacement Project – 2014 Update
Report No. 14-105
File No. 271.4

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

That Council authorize staff to postpone the Phase 1 portion of the Alpine Water Main Replacement project, and consolidate that work with the Phase 2 work scheduled for 2015.

CARRIED

BYLAW FOR FIRST AND SECOND READINGS

Zoning Amendment Bylaw (CL5 Zone – Commercial Local Five) No. 2063, 2014

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Zoning Amendment Bylaw (CL5 Zone – Commercial Local Five) No. 2063, 2014 receive first and second readings.

CARRIED

BYLAW FOR THIRD READING

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

Moved by Councillor R. McCarthy
Seconded by Councillor J. Crompton

That Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014 receive third reading.

CARRIED

OTHER BUSINESS

Grizzly Bear Recovery Plans

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

WHEREAS, grizzly bears and the wild places they inhabit are an iconic and integral part of the Sea to Sky region's natural heritage and image, are culturally significant to First Nations, and there are ecological, economic, and spiritual benefits to conserving and recovering grizzly bears including that they are an "umbrella species", the conservation of which will benefit many other plants, animals and ecosystem values like clean water and recreational opportunities;

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-017
FROM:	Infrastructure Services	**FILE:**	155.7
SUBJECT:	NEW BUILDING CANADA FUND – 2015 INTAKE		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Infrastructure Services be endorsed.

RECOMMENDATION

That Council direct staff to submit an application under New Building Canada Fund – Small Communities Fund for funding assistance for the Compost Facility Capacity Improvements (Project E063) as set out in the Five-Year Financial Plan.

PURPOSE OF REPORT

To ask for Council's endorsement to make application for funding assistance under the New Building Canada Fund for the Compost Facility Capacity Improvements (Project E063) as identified in our strategic planning documents for this facility.

DISCUSSION

The Provincial/Federal governments have recently opened an intake period for the Building Canada Fund – Small Communities Fund. The deadline for applications for this intake is February 18th of this year. The rules established for this intake allow only one application to be submitted. Also, the application must be accompanied by evidence of support for the application from Council. The resolution associated with this report will satisfy the evidence requirement.

Staff have reviewed the amount available to BC through this fund over the next 10 years. Given the number of applications likely to be submitted and approved in BC, staff have concluded that a project with a total construction value of around one million dollars would have the highest chance of receiving funding assistance approval.

Staff have reviewed the municipal projects that align with the eligible project categories established for this intake, with total construction values within the favourable range. From that review, staff have concluded that the Compost Facility Capacity Improvements (project E063) not only fits neatly within the eligible project categories, but also strongly satisfies many of the more-detailed evaluation criteria used to judge these projects. Staff are of the view that this project will be a strong candidate for funding assistance approval.

Please note that this application for funding assistance does not change the scope of the approved project. It merely seeks to acquire funding from an alternate source.

WHISTLER 2020 ANALYSIS

W2020 **Strategy**	**TOWARD** **Descriptions of success that resolution moves us toward**	**Comments**
Economic	Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adapts to changing external conditions	Periodic funding opportunities come up, yielding opportunities for significant cost avoidance for the taxpayers, thereby keeping the Resort Community as affordable as possible.
Economic	Effective partnerships with government and tourism organizations support economic health	Receiving funding through senior government programs strengthens our partnerships with the Province and the Federal Government.
Finance	Senior levels of government recognize the value of the resort community and support its success	Receiving funding through these funding programs Tax strengthens our partnerships with the Province and the Federal Government.

W2020 **Strategy**	**AWAY FROM** **Descriptions of success that resolution moves away from**	**Mitigation Strategies and Comments**
N/A	N/A	N/A

OTHER POLICY CONSIDERATIONS

None.

BUDGET CONSIDERATIONS

Project E063 has an expenditure schedule of $ 0.7M in 2016 and $0.7M in 2018. Up to two-thirds of these amounts may be eligible for funding assistance if approved.

COMMUNITY ENGAGEMENT AND CONSULTATION

No further engagement and consultation is foreseen for this request to make application for funding assistance. This funding request does not change the scope of the already approved project.

SUMMARY

The Province, in partnership with the Federal Government is accepting applications for the New Building Canada Fund – Small Communities Fund. Each local government is permitted to submit one application. Staff have determined that Project E063 – Compost Facility Capacity Improvements would be a very strong candidate to secure senior government funding assistance. Staff request that Council direct staff to submit an application to the Province/Federal governments for funding assistance under the New Building Canada Fund – Small Communities Fund.

Respectfully submitted,

Joe Paul
GENERAL MANAGER OF INFRASTRUCTURE SERVICES

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-012
FROM:	Corporate & Community Services	**FILE:**	Vault
SUBJECT:	CHEAKAMUS LEASING CORP. – 2014 ANNUAL FILING		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager, Corporate & Community Services be endorsed.

RECOMMENDATION

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Cheakamus Leasing Corp; pass the consent resolutions of the sole shareholder of Cheakamus Leasing Corp; a copy of which is attached to Administrative Report No. 15-012 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.

REFERENCES

Appendix A – 2014 Shareholders Resolutions
Appendix B – 2014 Directors Resolutions

PURPOSE OF REPORT

The purpose of this report is to seek Council approval for the Mayor and Corporate Officer to sign the Shareholder's Resolutions of Cheakamus Leasing Corp. for the annual filing of the Company.

DISCUSSION

The filing of the 2014 Annual Report for Cheakamus Leasing Corp. is now due for filing with the Registrar of Companies.

The Shareholder's Resolutions for the 2014 annual report include:

1. Appointing Sharon Fugman, Ken Roggeman and Shannon Story to act as Directors;

2. Waiving the preparation and production of Financial Statements of the Company for the last fiscal year;

3. Waiving the appointment of an Auditor; and

4. Waiving the holding of the 2014 Annual General Meeting;

POLICY CONSIDERATIONS

Pursuant to Section 182 of the *Business Corporation Act*, the Cheakamus Leasing Corp. may consent in writing, by unanimous consent resolution, to all of the business required to be transacted at the annual general meeting of the company.

BUDGET CONSIDERATIONS

The only budget consideration will be the cost of filing the executed documents with the Registrar of Companies.

SUMMARY

Council approval is required for the Mayor and Corporate Officer to sign the Shareholder's Resolutions for Cheakamus Leasing Corp., which appoints directors, waives the holding of an annual general meeting, waives the production of financial statements and waives the appointment of an auditor.

Respectfully submitted,

Nikki Best
LEGISLATIVE SERVICES COORDINATOR
for
Shannon Story
CORPORATE OFFICER
for
Norm McPhail
GENERAL MANAGER, CORPORATE & COMMUNITY SERVICES

CHEAKAMUS LEASING CORP.
(the "Company")

SHAREHOLDER'S RESOLUTIONS

WHEREAS the Resort Municipality of Whistler is the sole shareholder of Cheakamus Leasing Corp.;

Pursuant to the provisions of Section 182 of the *Business Corporation Act* (British Columbia), the following resolutions are passed by the shareholder of the Company entitled to attend and vote at the annual general meeting of the Company.

WAIVER OF FINANCIAL STATEMENTS

RESOLVED that the preparation and production of financial statements of the Company for the last fiscal year be waived.

APPOINTMENT OF DIRECTORS

RESOLVED that Sharon Fugman, Shannon Story and Ken Roggeman, having consented in writing to act as directors of the Company, be elected directors of the company, to hold office until the next annual general meeting of the Company or until sooner ceasing to hold office.

WAIVER OF APPOINTMENT OF AUDITOR

RESOLVED that pursuant to Section 203 of the *Business Corporation Act* (British Columbia), in respect of the current financial year, the appointment of an Auditor is hereby waived.

ANNUAL GENERAL MEETING

RESOLVED that pursuant to Section 182 of the *Business Corporations Act* (British Columbia), the Resort Municipality of Whistler, being the sole shareholder of the Company entitled to attend and vote at the annual general meeting, does hereby waive the holding of the said meeting and does consent in writing to all of the foregoing resolutions, which constitute proceedings in lieu of the 2014 Annual General Meeting of the Company and does specify June 3, 2014 as being the date on which the 2014 Annual General Meeting shall be deemed to have been held, as evidenced by the signatures of the Mayor and Corporate Officer hereto.

Signed by the Mayor and Corporate Officer of the Resort Municipality of Whistler on the ___ day of _____ _____, 2014.

_____
Mayor, Nancy Wilhelm-Morden

_____
Corporate Officer, Shannon Story

CHEAKAMUS LEASING CORP.
(the "Company")

DIRECTORS RESOLUTIONS

Pursuant to the articles of the Company, the following resolutions are passed as resolutions of the directors of the Company, duly consented to in writing by all of the directors of the Company.

BE IT RESOLVED THAT:

1. the following persons be and are hereby appointed officers of the Company to hold offices set opposite their names until their successors are appointed, at the pleasure of the Board of Directors:

   Sharon Fugman – President
   Shannon Story – Secretary
   Ken Roggeman – Treasurer

2. The preparation and production of financial statements of the Company for the last fiscal year be waived.

DATED this _____ day of _____, 2014.

_____
Sharon Fugman

_____
Shannon Story

_____
Ken Roggeman

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-013
FROM:	Corporate & Community Services	**FILE:**	Vault
SUBJECT:	EMERALD DREAMS CONSERVATION CO. LTD – 2014 ANNUAL REPORT		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate & Community Services be endorsed.

RECOMMENDATION

That the Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Emerald Dreams Conservation Co. Ltd; pass the consent resolutions of the sole shareholder of Emerald Dreams Conservation Co. Ltd; a copy of which is attached to Administrative Report 15-013, and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.

REFERENCES

Appendix A - Shareholder's Resolution
Appendix B - Financial Statements, ending December 31, 2013
Appendix C - Directors Resolutions

PURPOSE OF REPORT

The purpose of this report is to seek Council approval for the Mayor and Corporate Officer to sign the annual Shareholder's Resolutions of the Emerald Dreams Conservation Co. Ltd.

DISCUSSION

The filing of the 2014 Annual Report of the Emerald Dreams Conservation Co. Ltd. is now due for filing with the Registrar of Companies.

The Shareholder's resolutions for the 2014 Annual Report include:

1. Mike Furey, Shannon Story and Ken Roggeman, having consented in writing to act as directors of the Company, be elected directors of the Company or until sooner ceasing to hold office; and

2. The financial statements of the Company for the last financial year are accepted.

3. The waiver of the appointment of the Auditor:

   The company is not a reporting company and therefore may consent in writing to waive the appointment of an auditor. Although the Company does not appoint an Auditor, the financial statements have been prepared for the fiscal year.

4. Waive the holding of the 2014 Annual General Meeting.

POLICY CONSIDERATIONS

Pursuant to Section 182 of the *Business Corporations Act*, the Company may consent in writing to all of the business required at the annual meeting of the Company.

Pursuant to Section 203 of the *Business Corporation Act,* the company may consent in writing to waive the appointment of an auditor.

BUDGET CONSIDERATIONS

There will be minimal costs incurred for the filing of the documents with the Registrar of Companies.

SUMMARY

The 2014 Annual Report of the Emerald Dreams Conservation Co. Ltd. is now due to be filed with the Registrar of Companies. This report seeks the approval of the Shareholder's Resolutions of the Emerald Dreams Conservation Co. Ltd.

Respectfully submitted,

Nikki Best
LEGISLATIVE SERVICES COORDINATOR
for
Shannon Story
CORPORATE OFFICER
for
Norm McPhail
GENERAL MANAGER CORPORATE & COMMUNITY SERVICES

EMERALD DREAMS CONSERVATION CO. LTD.
("the Company")

SHAREHOLDERS RESOLUTIONS

The undersigned, being the sole shareholder of the Company, hereby consents in writing to the following resolutions to have the same force and effect as if passed at a general meeting of the Company.

RESOLVED that:

1. the financial statements of the Company for the year ending December 31, 2013 be accepted;

2. Mike Furey, Ken Roggeman and Shannon Story, having consented in writing to act as directors of the Company, be appointed as directors of the Company, to hold office until the next annual general meeting of the Company or until sooner ceasing to hold office; and

3. the appointment of an auditor for the Company for the current financial year be waived.

Pursuant to Section 182 of the *Business Corporations Act*, the Resort Municipality of Whistler, being the only shareholder of the Company entitled to attend and vote at the annual general meeting, waives the holding of the annual general meeting and consents in writing to all of the foregoing resolutions, which constitute proceedings in lieu of the 2014 Annual General Meeting of the Company as evidenced by its execution of these resolutions below.

DATED this _____ day of _____, 2014.

RESORT MUNICIPALITY OF WHISTLER
by its authorized signatories:

_____
Mayor: Nancy Wilhelm-Morden

_____
Corporate Officer: Shannon Story

Emerald Dreams Conservation Co. Ltd.

Financial Statements
For the period ended December 31, 2013
(Unaudited - see Notice to Reader)

Notice to Reader **2**

Financial Statements

Balance Sheet **3**

Notice to Reader

On the basis of information provided by management, we have compiled the Balance Sheet of Emerald Dreams Conservation Co. Ltd. as at December 31, 2013.

We have not performed an audit or review engagement in respect of this financial statement and, accordingly, we express no assurance thereon.

Readers are cautioned that this statement may not be appropriate for their purposes.

BDO Canada LLP.

Chartered Accountants

Whistler, British Columbia
January 30, 2014

Emerald Dreams Conservation Co. Ltd.
Balance Sheet
(Unaudited - see Notice to Reader)

December 31		**2013**	2012
Assets			
Current			
Cash		**$ 1**	$ 1
Shareholder's Equity			
Share capital			
Authorized			
10,000	Common shares of no par value		
Issued			
1	Common share	**$ 1**	$ 1

Certificate of Incorporation
No. 593848

EMERALD DREAMS CONSERVATION CO. LTD.
(the "Company")

DIRECTORS' RESOLUTIONS

Pursuant to the articles of the Company, the following resolutions are passed as resolutions of the directors of the Company, duly consented to in writing by all directors of the Company.

RESOLVED that:

1. the following persons be and are hereby appointed officers of the Company to hold the offices set opposite their names until their successors are appointed, at the pleasure of the Board of Directors:

   President – Mike Furey
   Secretary – Ken Roggeman

2. the financial statements of the Company for the last completed fiscal year be approved.

DATED this ___ day of _____ 2014.

_____
Mike Furey

_____
Ken Roggeman

_____
Shannon Story

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-014
FROM:	Corporate & Community Services	**FILE:**	Vault
SUBJECT:	WHISTLER 2020 DEVELOPMENT CORP. – 2014 ANNUAL REPORT		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager, Corporate & Community Services be endorsed.

RECOMMENDATION

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole Shareholder of Whistler 2020 Development Corp., pass the consent resolutions of the Shareholder of the Whistler 2020 Development Corp., a copy of which is attached to Administrative Report No. 15-014 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.

REFERENCES

Appendix A – Shareholder's Resolutions
Appendix B – 2013 Financial Statements (confidential)
Appendix C – Directors Resolutions

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval for the Mayor and Corporate Officer to execute the Shareholder's Resolutions of Whistler 2020 Development Corp. (the "Company").

DISCUSSION

The filing of the 2014 Annual Report for Whistler 2020 Development Corp. is now due for filing with the Registrar of Companies.

The Shareholder's Resolutions for the 2014 Annual Report include:

1. The appointment of Directors, namely:
   Duane Jackson
   Eric Martin
   James F. Godfrey
   Jim Moodie
   Melissa McKay
   Nancy Wilhelm-Morden
   Stephen J. Bayly

2. Waiving the appointment of an Auditor:

   The Company is not a reporting company and therefore may consent in writing to waive the appointment of an auditor. Although the Company does not appoint an Auditor, the financial statements are prepared for the fiscal year.

3. Waive the holding of the 2014 Annual General Meeting:

   The holding of the Annual General Meeting may be waived by a unanimous resolution of the Shareholder of the Company.

4. Financial Statements:

   The Financial Statements of the Company are attached to this report, as Appendix B, for acceptance by Council.

POLICY CONSIDERATIONS

Pursuant to Section 182 of the *Business Corporation Act*, the Shareholder may consent to all business required to be transacted at the annual general meeting of the Company.

Pursuant to Section 203 of the *Business Corporation Act*, the Company may consent in writing to waive the appointment of an auditor.

BUDGET CONSIDERATIONS

There will be minimal costs incurred for the filing of the documents with the Registrar of Companies.

SUMMARY

The 2014 Annual Report of Whistler 2020 Development Corp. must be filed with the Registrar of Companies. This report seeks Council's approval of the Shareholder's Resolutions of Whistler 2020 Development Corp. as attached in Appendix A to this report.

Respectfully submitted,

Nikki Best
LEGISLATIVE SERVICES COORDINATOR
for
Shannon Story
CORPORATE OFFICER
for
Norm McPhail
GENERAL MANAGER, CORPORATE & COMMUNITY SERVICES

WHISTLER 2020 DEVELOPMENT CORP.
("the Company")

SHAREHOLDERS RESOLUTIONS

The undersigned, being the sole shareholder of the Company, hereby consents in writing to the following resolutions to have the same force and effect as if passed at a general meeting of the Company.

RESOLVED that:

1. the financial statements of the Company for the year ended December 31, 2013 be accepted;

2. the following people, having consented in writing to act as directors of the Company, be appointed as directors of the Company, to hold office until the next annual general meeting of the Company or until sooner ceasing to hold office:
   Duane Jackson
   Eric Martin
   James F. Godfrey
   Jim Moodie
   Melissa McKay
   Nancy Wihelm-Morden
   Stephen J. Bayly

3. the appointment of an auditor for the Company for the current financial year be waived.

Pursuant to Section 182 of the *Business Corporations Act*, the Resort Municipality of Whistler, being the only shareholder of the Company entitled to attend and vote at the annual general meeting, does hereby waive the holding of the said meeting and does consent in writing to all of the foregoing resolutions, which constitute proceedings in lieu of the 2014 Annual General Meeting of the Company and does specify January 30, 2014 as being the date on which the 2014 Annual General Meeting shall be deemed to have been held, as evidenced by its execution of these resolutions below.

DATED this_____day of_____, 2014.

RESORT MUNICIPALITY OF WHISTLER
by its authorized signatories:

_____
Mayor: Nancy Wilhelm-Morden

_____
Corporate Officer: Shannon Story

WHISTLER 2020 DEVELOPMENT CORP.
(the "Company")

DIRECTORS' RESOLUTION

Pursuant to the articles of the Company, the following resolutions are passed as resolutions of the directors of the Company, duly consented to in writing by all the directors of the Company.

RESOLVED THAT:

1. the following persons be and are hereby appointed officers of the Company to hold the offices set opposite their names until their successors are appointed, at the pleasure of the Board of Directors:

   Eric Martin - President
   Jim Moodie - Vice President
   James Godfrey – Secretary
   Ken Roggeman – Treasurer

2. the financial statement of the Company for the year ended December 31, 2013 be approved and that any two directors of the Company be authorized to sign the balance sheet included in the financial statements as evidence of such approval.

DATED this_____day of_____, 2014

_____
ERIC MARTIN

_____
STEVE BAYLY

_____
JIM MOODIE

_____
DUANE JACKSON

_____
JAMES GODFREY

_____
MELISSA MCKAY

_____
NANCY WILHELM-MORDEN

WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	**REPORT:**	15-015
FROM:	Corporate & Community Services	**FILE:**	Vault
SUBJECT:	WHISTLER VILLAGE LAND CO. LTD. – 2014 ANNUAL REPORT		

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate & Community Services be endorsed.

RECOMMENDATION

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 consent resolutions of the shareholder of the Whistler Village Land Co. Ltd., a copy of which is attached to Administrative Report No 15-015 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.

REFERENCES

Appendix A - Shareholder's Resolutions
Appendix B – 2013 Financial Statements
Appendix C - Directors Consent Resolution

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval for the Mayor & Corporate Officer to execute the annual Shareholder's Resolutions of Whistler Village Land Co. Ltd.

DISCUSSION

The filing of the 2014 Annual Report of Whistler Village Land Co. Ltd. with the Registrar of Companies is now due.

The Shareholder's Resolutions for the 2013 Annual Report include:

1. The appointment of Directors, namely:

   Nancy Wilhelm-Morden
   Ken Roggeman
   Shannon Story

2. Waiving the appointment of an Auditor:

   The Company is not a reporting company and therefore may consent in writing to waive the appointment of an auditor. Although the Company does not appoint an Auditor, the Financial Statements are prepared for the fiscal year by the RMOW Manager of Financial Services.

3. Waive the holding of the 2014 Annual General Meeting:

   The holding of the Annual General Meeting may be waived by a unanimous resolution of the shareholder of the Company. The Company's annual reference date that would have been deemed to be appropriate for the holding of the Annual General Meeting is April 7, 2014.

4. Financial Statements:

   The Financial Statements of Whistler Village Land Co. Ltd. are attached to this report, as Appendix B, for acceptance by Council.

POLICY CONSIDERATIONS

Pursuant to Section 182 of the *Business Corporations Act*, the shareholder may consent to all the business required to be transacted at the Annual General Meeting of the Company.

Pursuant to Section 203 of the *Business Corporations Act*, the Company may consent in writing to waive the appointment of an auditor.

BUDGET CONSIDERATIONS

There will be minimal costs incurred for the filing of the documents with the Registrar of Companies.

SUMMARY

The 2014 Annual Report of Whistler Village Land Co. Ltd. must be filed with the Registrar of Companies. This report seeks Council's approval of the Shareholder's Resolutions of Whistler Village Land Co. Ltd. as attached in Appendix A to this report.

Respectfully submitted,

Nikki Best
LEGISLATIVE SERVICES COORDINATOR
for
Shannon Story
CORPORATE OFFICER
for
Norm McPhail
GENERAL MANAGER CORPORATE & COMMUNITY SERVICES

WHISTLER VILLAGE LAND CO. LTD.
(the "Company")

SHAREHOLDERS RESOLUTIONS

WHEREAS the Resort Municipality of Whistler is the sole shareholder of the Whistler Village Land Co. Ltd.

PURSUANT to the provisions of Section 182 of the *Business Corporations Act*, the following resolutions are passed by the Shareholder of the Company entitled to attend and vote at the Annual General Meeting of the Company.

FINANCIAL STATEMENTS

RESOLVED that the report of the Directors to the Shareholder on the affairs of the Company and the financial statements dated December 31, 2013 be accepted and that all acts and proceedings of the Directors since the date of the last Annual General Meeting be confirmed and approved.

APPOINTMENT OF DIRECTORS

RESOLVED THAT Nancy Wilhelm-Morden, Ken Roggeman and Shannon Story having consented in writing to act as Directors of the Company and are hereby elected Directors of the Company to hold office until the next Annual General Meeting of the Company or until their successors are elected or appointed.

WAIVER OF APPOINTMENT OF AUDITORS

RESOLVED that pursuant to Section 203 of the *Business Corporation Act,* in respect of the current financial year, the appointment of an Auditor is hereby waived.

WAIVER AND CONSENT

RESOLVED that pursuant to Section 182 of the *Business Corporations Act*, the Resort Municipality of Whistler, being the sole Shareholder of the Company entitled to attend and vote at the Annual General Meeting, does hereby waive the holding of the said meeting and does consent in writing to all of the foregoing resolutions, which constitute proceedings in lieu of the 2014 Annual General Meeting of the Company and does specify April 7, 2014 as being the date on which the 2014 Annual General Meeting shall be deemed to have been held, as testified by the signatures of the Mayor & Corporate Officer hereto.

DATED this _____day of _____, 2014

RESORT MUNICIPALITY OF WHISTLER

_____
Mayor: Nancy Wilhelm-Morden

_____
Corporate Officer: Shannon Story

WHISTLER VILLAGE LAND CO. LTD.

FINANCIAL STATEMENTS

DECEMBER 31, 2013

Unaudited

TABLE OF CONTENTS

	Page
Balance Sheet	1
Statement of Revenue and Expenditures	2
Notes to the Financial Statements	3

These Financial Statements are prepared for internal management purposes.

WHISTLER VILLAGE LAND CO. LTD.

BALANCE SHEET
AS AT DECEMBER 31, 2013

UNAUDITED

	2013	2012
ASSETS		
Cash	6,426	142,655
Accounts Receivable	426	793
	6,852	143,448
Capital assets, at cost (Note 4)	17,043,745	17,573,982
	$17,050,597	$17,717,430
LIABILITIES		
Due to Resort Municipality of Whistler (Note 3)	86,843	215,172
	86,843	215,172
EQUITY		
Share Capital (Note 5)	1	1
Equity in Capital Assets -Contributed Surplus	17,043,745	17,573,982
Unallocated Surplus	(79,992)	(71,725)
	16,963,754	17,502,258
	$17,050,597	$17,717,430

WHISTLER VILLAGE LAND CO. LTD.

STATEMENT OF REVENUE AND EXPENDITURES
YEAR ENDED DECEMBER 31, 2013

UNAUDITED

	2013 Budget	2013 Actual	2012 Actual
REVENUE			
Parkade User Fees	122,500	122,278	121,527
Interest	0	1,346	1,550
Patio Licence Fees	34,000	34,995	34,966
Recoveries	52,500	76,575	52,500
	$209,000	$235,194	$210,543
EXPENDITURES			
Amortization	0	530,237	466,041
Utilities	52,000	48,717	47,681
Repairs and Maintenance	298,255	194,728	967,405
Administration and Other	0	16	12
	$350,255	$773,698	$1,481,138
EXCESS REVENUE OVER EXPENDITURES FOR THE YEAR	(141,255)	(538,504)	(1,270,595)
Beginning Balance - Investment in Tangible Capital Assets		17,573,982	18,040,022
Beginning Balance - Fund Balance		(71,725)	732,830
BALANCE, END OF YEAR	($141,255)	$16,963,753	$17,502,258
Balance made up of			
Investment in Tangible Capital Assets		17,043,745	17,573,982
Unallocated Surplus		(79,992.31)	(71,724.00)
Provision for Repairs & Maintenance			
		16,963,753	17,502,258

WHISTLER VILLAGE LAND CO. LTD.

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2013

UNAUDITED

1. OPERATIONS

The Company was incorporated under the Company Act of British Columbia on April 7, 1978.

Effective June 16, 1988, pursuant to a Share Purchase Agreement, the Resort Municipality of Whistler acquired 100% of the issued and outstanding share capital of the Company from a Provincial Crown Corporation.

The Company, as a consequence of its ownership, is not subject to Federal or Provincial income taxes.

2. SIGNIFICANT ACCOUNTING POLICIES

The following is a summary of the significant accounting policies of the Company:

(a) Basis of Presentation

These statements are prepared for the use of management, using generally accepted accounting principles for local government.

(a) Capital Assets

Parking Structures and Village Malls:
The parking structures and mall areas were transferred into the Company on May 25, 1988 from a Provincial Crown Corporation. This transfer (71,724.00) recorded at the book value of those assets recorded by the Provincial Crown Corporation.

Subsequent capital improvements are recorded at cost.

The Company obtains revenues from the sale of long-term licences to parking stalls.

Conference Centre and Golf Course Lands:
The Conference Centre and Golf Course lands are recorded at cost. These assets were acquired on November 28, 1989 pursuant to a Facilities Transfer Agreement with a Provincial Crown Corporation. Major renovations to the Conference Centre were completed in 2003.

3. DUE TO RESORT MUNICIPALITY OF WHISTLER

Amounts due to the Resort Municipality of Whistler are adjusted annually by changes in non-cash working capital balances and current years income/loss. All cash flows through the parent company (RMOW) bank account.

4. CAPITAL ASSETS

Net of Amortization	2013	2012
Land	3,519,269	3,519,269
Golf Course	543,021	563,971
Conference Centre	9,852,617	10,361,903
Parking Stuctures	3,128,839	3,128,839
Parking Structures and Mall Disposals		
	$17,043,745	**$17,573,982**

5. SHARE CAPITAL

Authorized:
10,000 Common shares without par value

Issued:
100 Shares

6. CONTINUING OPERATIONS

The Company will continue to operate the parking structures on behalf of holders of long-term licences, on a cost recovery basis.

The revenues, expenses and management responsibilities of that portion of the parking structures have been assigned to the Resort Municipality of Whistler which charges management fees to Whistler Village Land Company.

The Conference Centre and Golf Course were leased in 1989 in their entirety to Tourism Whistler for a period of 100 years (including all renewal options), The lease rate is $1 per year each on a triple net basis.

Certificate of Incorporation
No. 173471

WHISTLER VILLAGE LAND CO. LTD.
(the "Company")

DIRECTORS' RESOLUTION

RESOLUTION consented to in writing by all Directors of the Company as of the date hereof:

RESOLVED that the following persons be appointed Officers of the Company to hold office as set out opposite their respective names until the close of the next Annual General Meeting or until others are elected or appointed in their place:

President - Nancy Wilhelm-Morden
Treasurer - Ken Roggeman
Secretary - Shannon Story

DATED this ____ day of _____ 2014.

_____
Nancy Wilhelm-Morden

_____
Ken Roggeman

_____
Shannon Story

WHISTLER VALLEY HOUSING SOCIETY

REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED:	January 13, 2015	Report No:	15-001
FROM:	Marla Zucht, Director, Whistler Valley Housing Society	File No:	7724
SUBJECT:	RMOW APPOINTMENTS TO WHISTLER VALLEY HOUSING SOCIETY		

RECOMMENDATION

THAT Council of the Resort Municipality of Whistler (RMOW), appoint Jonathan Decaigny, Cheryl Skribe, Gord Low and Marla Zucht as the four RMOW appointees to the Whistler Valley Housing Society (WVHS).

PURPOSE

The purpose of this report is to provide a recommendation to the RMOW for the appointment of four Directors to the WVHS. These four RMOW appointments are necessary to keep the Directors' composition consistent with the Society's bylaws.

DISCUSSION

The Whistler Valley Housing Society was established in 1983 and is the predecessor to the incorporated Whistler Housing Authority Ltd. The Society operates on a not-for-profit basis. The WVHS is eligible for government funding and assistance programs reserved exclusively for non-profit societies, the most significant of which is the favorable equity requirement for capital borrowing afforded by CMHC and BC Housing. The primary focus of the WVHS is to oversee the operations of Whistler Creek Court, a 20 unit rent-geared-to-income rental housing project in the Creekside.

The Whistler Valley Housing Society Constitution sets the number of WVHS Directors at seven, with four Directors required to be appointed by the RMOW. The WVHS held their AGM in November 2014, at which time Garry Watson, Steve Bayly and Jessica Averiss were re-elected by the Directors as the WVHS community representatives to the Whistler Valley Housing Society.

SUMMARY
This RMOW appointment of the four WVHS Directors will be consistent with the bylaws outlined in the Whistler Valley Housing Society Constitution and will enable the WVHS to continue to exist as a separate entity, with its function and responsibilities executed by the Whistler Housing Authority Ltd.

Respectfully submitted,

Marla Zucht
Director
Whistler Valley Housing Society (On Behalf of the Directors of the WVHS)

WHISTLER

MINUTES

REGULAR MEETING OF PUBLIC ART COMMITTEE OCTOBER 1, 2014, STARTING AT 4:30 P.M.

In the Piccolo Room
4325 Blackcomb Way, Whistler, BC V0N 1B4

PRESENT:

Ian Crichton
Ron Denessen
Penny Eder
Michelle Kirkegaard
Marie-Eve Masse
Andrea Mueller, Whistler Arts Council Representative
Stephanie Sloan, Chair
Kat Sullivan
Jane Wong
Recording Secretary, Kevin McFarland

REGRETS:

Kerry Chalmers
Councillor, Andrée Janyk

ADOPTION OF AGENDA

Moved by Michelle Kirkegaard
Seconded by Penny Eder

That Public Art Committee adopt the Public Art Committee agenda of June 18, 2014.

CARRIED

ADOPTION OF MINUTES

Moved by Marie-Eve Masse
Seconded by Kat Sullivan

That Public Art Committee adopt the Regular Public Art Committee minutes of March 19, 2014.

CARRIED

PRESENTATIONS/DELEGATIONS

none

OTHER BUSINESS

Updates:

Timeless Circle	The first of the five Timeless Circle pieces has been cast in bronze.
Street Banners	Samples were produced, reviewed and approved. Printing is underway.
Cultural Connector Project	Martin Pardoe presented a Cultural Connector project update and draft report. The report covered the five sites, branding and route alignment. There will likely be opportunities for public art to help animate the associated public spaces. It was noted the Connector is east / west oriented and the Stroll is north / south oriented. The interface was discussed. The Portals and Gateways project was tendered and then put on hold.
2015 Projects	The Committee discussed potential 2015 projects. It was noted that the allocation of funds to Valley Trail art projects in the Five Year Financial Plan ends in 2014. Moved by Penny Eder Seconded by Kat Sullivan **That** the Committee request funding for a 2015 Valley Trail art project. CARRIED The Committee discussed a 2015 Village art project. The Committee sought to create something substantial in 2015, as Village art projects have been on hold in recent years. Moved by Jane Wong Seconded by Ian Crichton **That** the Committee request that the art component of the annual Village Enhancement fund be in the order of $40,000 in 2015. CARRIED
Valley Trail Art Installation & Art Forum	The Art Forum will involve artist Oliver Harwood's lecture on his *Village Ascent* project and his experience working in public art. Additionally, display materials will highlight the Whistler public art collection, the upcoming artist opportunities and suggestions to improve artist proposals. Members suggested that the lecture be recorded professionally so the content can be available in the future by links to the art web page on whistler.ca.

Committee Activities

An interim list of Public Art Committee meetings in 2014 was distributed (Appendix A). This includes regular Committee meetings and art selection panels where members served as jurors. The list does not include meetings in November and December. The final two months will include the Art Forum and probably one more Committee meeting.

ADJOURNMENT

Moved by Penny Eder
Seconded by Ian Crichton

That Public Art Committee adjourn the October 1, 2014 meeting at 6:00 p.m.

CARRIED

_____
CHAIR: Stephanie Sloan

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (Development Permit Exemptions) NO. 2071, 2014

A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER

ZONING AND PARKING BYLAW NO. 303, 1983

WHEREAS Council has designated Development Permit Areas for one or more of the purposes enumerated in s. 919.1(1) of the *Local Government Act*;

AND WHEREAS pursuant to Section 919.1(4) of the *Local Government Act* a zoning bylaw may, with respect to development permit areas, specify conditions under which a development permit is not required;

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 (Development Permit Exemptions) No. 2071, 2014".

2. Zoning and Parking Bylaw No. 303, 1983 is amended in Section 2 by adding the following definition of "stream" in appropriate alphabetical order:

"stream" includes any of the following that provides fish habitat:

(a) a watercourse, whether it usually contains water or not;

(b) a pond, lake, river, creek or brook;

(c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

3. The bylaw is further amended in Section 2 by replacing the definition of "high water mark" with the following:

"high water mark" means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain;

4. The bylaw is further amended by deleting "natural boundary" and its definition in Section 2 and by replacing "natural boundary" with "high water mark":

(a) in the definition of "usable site area" in Section 2;

(b) throughout Section 5.3 "Floodproofing requirements".

5. The bylaw is further amended by adding the following as Section 5.16, "Development Permit Exemptions for Detached and Duplex Dwellings":

1. Development within the following categories is exempt from the requirement to obtain a development permit:

a. detached dwelling;

b. duplex dwelling;

c. auxiliary buildings ancillary to a detached dwelling or duplex dwelling.

d. subdivision to create parcels on which the only types of development permitted by this bylaw are detached or duplex dwellings.

2. The exemption described in s. 5.16.1 does not apply if any part of the parcel of land that is the subject of the proposed development is:

    a. within a development permit area for the protection of the environment, or for the protection of the environment, its ecosystems and biological diversity, and within 30 metres of the high water mark of a stream; or

    b. within the RI1 Residential Infill One zone.

Given first and second reading this __ day of _____, ____.

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

Given third reading this __ day of _____, ___.

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

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

Nancy Wilhelm-Morden
Mayor

Shannon Story
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Development Permit Exemptions) No. 2071, 2014"

Shannon Story
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (CC1 ZONE – CLOCKTOWER HOTEL) NO. 2070, 2014

A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER ZONING AND PARKING BYLAW NO. 303, 1983

WHEREAS Council may, in a zoning bylaw pursuant to Sections 903, 904 and 906 of the *Local Government Act*, R.S.B.C. 1996, c.323, 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, require the provision of parking spaces and loading spaces for uses, buildings and structures, and establish different density regulations for a zone, one applicable to the zone generally and the other to apply if conditions are met;

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 (CC1 Zone – Clocktower Hotel), No. 2070, 2014".

2. Zoning and Parking Bylaw No. 303, 1983 is amended by deleting 1,179 and inserting 1,196 as the maximum permitted Gross Floor Area for Key K, Site Description Lot 16, District Lots 1902 and 3020, Plan 17986 in the table in Section 8, subsection 1.2.1.

Given first and second readings this this 16th day of December, 2014.

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

Given third reading this __ day of _____, ____.

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

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

_____
Nancy Wilhelm-Morden,
Mayor

_____
Shannon Story,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (CC1 Zone – Clock Tower Hotel), No. 2070, 2014".

_____
Shannon Story,
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER
ZONING AMENDMENT BYLAW (Retail Liquor Sales – 1-4573 Chateau Blvd)
NO. 2069, 2014

A Bylaw to amend Zoning and Parking Bylaw No. 303, 1983

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 (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014".

2. Schedule "D" of Zoning and Parking Bylaw No. 303, 1983 is amended by changing the Permitted Location for retail liquor sales in respect of 1-4573 Chateau Blvd. to "Same as Legal Description".

GIVEN FIRST READING this 16th day of December, 2014.

GIVEN SECOND READING this 16th day of December, 2014.

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

GIVEN THIRD READING this __ day of _____, ____.

APPROVED by the Minister of Transportation 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 (Retail Liquor Sales – 1-4573 Chateau Blvd) No. 2069, 2014.

_____
Shannon Story
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER
LAND USE CONTRACT AMENDMENT BYLAW (BLUEBERRY HILL) NO. 2062, 2014

A BYLAW TO AMEND A LAND USE CONTRACT

WHEREAS a land use contract may, under s.930 of the *Local Government Act*, be amended by bylaw with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the amendment; and

WHEREAS the owners of strata lots in the Resort Municipality that are subject to a land use contract have consented in writing to the amendment of a land use contract charging those strata lots, in order that certain provisions of the contract will be consistent with the provisions of the Resort Municipality's Zoning and Parking Bylaw;

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 "Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014"

2. This bylaw applies to lands whose legal descriptions are set out on Schedule A.

3. That certain land use contract registered in the Vancouver Land Title Office under No. G2947 on January 11, 1979, as subsequently amended under Nos. M1301, GC43586 and BG279304, is further amended as set out in Schedule B in respect of the lands to which this bylaw applies, and the Corporate Officer shall register a certified copy of this bylaw in the Land Title Office in accordance with the *Land Title Act* and Section 930(9) of the *Local Government Act*.

Given first and second readings this 8th day of August, 2014.

Pursuant to Section 890 of the *Local Government Act,* a Public Hearing was held this 2nd day of September, 2014.

Given third reading this 2nd day of September, 2014.

Approved by the Minister of Transportation this 9th day of October, 2014.

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 Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014.

_____
Shannon Story,
Corporate Officer

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

SCHEDULE A

Parcel Identifier and Legal Description
PID 014-717-361 Strata Lot 5 District Lot 4751 Strata Plan VR2476
PID 015-688-402 Strata Lot 1 District Lot 4751 Strata Plan VR 2580
PID 017-739-357 Strata Lot 18 District Lot 4751 Strata Plan VR2616
PID 018-641-431 Strata Lot 1 District Lot 4751 Strata Plan LMS1248
PID 018-641-466 Strata Lot 4 District Lot 4751 Strata Plan LMS1248
PID 018-641-474 Strata Lot 5 District Lot 4751 Strata Plan LMS1248

Land Use Contract Amendment Bylaw (Blueberry Hill) No. 2062, 2014

SCHEDULE B

Section 2(h) of the Land Use Contract is replaced with the following:

“gross floor area” means gross floor area as defined in Resort Municipality of Whistler Zoning and Parking Bylaw No. 303 as amended from time to time, excluding areas specified in subsection 25.1 of Section 5 of the bylaw as amended from time to time;

-----Original Message-----
From: Yvonne Goller [mailto:doogie2@telus.net]
Sent: Sunday, January 04, 2015 4:56 PM
To: Wanda Bradbury
Cc: Steve Anderson; Jen Ford; ajank@whistler.ca; John Grills; Sue Maxwell; Wanda Bradbury; Jack Crompton
Subject: All The Christmas Light Decorations Throughout The Village

Mayor & Council

We live in Coquitlam and we come to Whistler often throughout the year as we have a place here. We enjoy Whistler and all it has to offer.
My question to all of you is.....have you ever considered leaving the lights up until the end of January? It is costly buying the lights and the labour to put them up is also costly so why not let residents and the tourists enjoy the lights until the end of January. It makes it so much more festive with the snow. Just a thought as actually all the home owners are paying for the cost so why can't we enjoy them a bit longer?

Thank You

Yvonne Goller
909 Merritt Street
Coquitlam BC
V3J 7K9

604-936-0264
doogie2@telus.net

-----Original Message-----
From: Erica Finnsson [mailto:ericafinnsson@gmail.com]
Sent: Sunday, January 04, 2015 2:57 AM
To: Mayor's Office
Subject: Cheakamus Crossing Heating

Dear Mayor and Council,

I live in Cheakamus Crossing and I have had many issues with my heat system over the past four years. It has failed every year, resulting in expensive repair costs, plus expensive BC Hydro bills as our heat defaults to electricity when it fails. We paid about $1800 in repair costs in 2014 and It is still not repaired due to design and engineering flaws with the equipment both inside my home and between my home and the wastewater plant. The technician that has been servicing it has advised me that I am looking at about another $8000 by the time it is all said and done. There are many items that need replacing, and several upgrades that need to be done, and he still can't assure me that he won't be back in a few months or next fall. Plus, he can't do anything about the issues that arise that are caused by the RMOW end of the system. There is absolutely no amount of preventative maintenance that we could have done to prevent this. No manual could be produced that would suddenly cancel out the defects.

I estimate my BC Hydro bill for November / December and January / February will be about $400 more than usual due to the electricity default. Plus, we pay $112 quarterly to the municipality for the system, which doesn't actually work during the months that we are using it. (The thermostats do not call for heat from May - September.)

I have spoken to several neighbours who are also experiencing issues, and it seems the general estimated cost among most of them is around $2000 this year. If I were to estimate that there are 50 other houses paying $2000 extra this year for heat in their homes, that is $100,000. After four years of this... Well, you do the math.

I have spoken to a handful of experts who all agree, it is not normal, and it is not acceptable, to have to budget for very expensive heating system repairs on a home that is only four years old. They all agree that a system like ours should last 25 - 30 years with little to zero maintenance.

Would you like to work together to find a solution to this problem? I would be happy to. The next logical step in the process would be for you to engage a qualified engineer (who is not affiliated whatsoever with DEC engineering) to examine the entire DES and provide an independent opinion on why it is not meeting the expectations that we all have for it. The number of residents who are experiencing problems is significant enough that you, (RMOW) as a major part of the DES, should be taking this on on our behalf.

Look at it this way; as the developer, WDC, you paid for and were promised a heating system that has not lived up to the standards that were promised. Would you let it go if it were any other product? I won't be letting it go.

I look forward to hearing from you.

Sincerely,

Erica Finnsson
ericafinnsson@gmail.com
604-938-3518
#57 - 1275 Mount Fee Road
Whistler BC
V0N1B1

From: John & Karen Wood [mailto:jkwood2@shaw.ca]
Sent: Tuesday, January 06, 2015 9:51 AM
To: Mayor's Office
Cc: john weston MP; jordan.sturdy.mla@leg.bc.ca
Subject: Mountain FM programming during significant traffic events

Dear mayor and council members,

I have written to Mountain FM via their website (they do not provide an email that I could find) to express my disappointment with their service during the significant traffic issues last Sunday evening. Over the years I have seldom found that the radio station made much of an effort to provide useful information during such events. Finally I tale the time to express my concerns to them and to my local political leaders. I will try to itemize my issues with them for you.

1. During events such as this traffic disruption visitors and locals must rely on mountain FM for traffic and news updates as it is the only radio service that covers the sea to sky corridor. Whistler FM is not much better in this respect and as it is only receivable in the Whistler area does not carry as high a responsibility as Mountain FM.
2. Mountain FM music (pardon the expression) played on Sunday night was awful and difficult to tolerate while waiting for the occasional report on traffic. I do not normally listen and I do not mind what music they and their regular listeners prefer under normal broadcasting however under circumstances such as last Sunday's traffic delays they should shift to a more middle of the road music selection and provide more regular news and traffic information.
3. Probably because information service is not their highest priority the station does not seem to have direct contact with road maintenance companies or the emergency services in order to pass along reliable and accurate information. Instead they seem to rely on listeners to call in with their cell phones to provide updates.
4. As a member of our destination resort community I think the radio broadcasters should prioritize information service to the general public during significant situations where this information can help locals and visitor manage as best they can.

I understand that broadcasting does not fall in the municipality's jurisdiction however I hope that your influence on the managers of Mountain FM in particular and with Whistler FM also can persuade them to provide better community service. Locals and visitors deserve better information services from our local broadcasters.

Thank you for listening to my concern,

Yours truly,

John Wood
8573 Drifter Way
Whistler, BC
V0N 1B8
604 932-5109

J cell 604-916-8735

jkwood2@shaw.ca

Union of BC Municipalities
Suite 60 10551 Shellbridge Way
Richmond, BC, Canada V6X 2W9

Phone: 604.270.8226
Email: ubcm@ubcm.ca

December 8, 2014

Resort Municipality of Whistler
Office of the Mayor
4325 Blackcomb Way
Whistler, BC V0N1B4

RE: UBCM Convention Bid for 2016, 2018 and 2020

Dear Mayor and Council,

On behalf of the UBCM Executive, I would like to thank your community for the submission to host the 2016, 2018 and 2020 UBCM Convention.

The UBCM Executive met on November 28th and after careful consideration have awarded the bid to host the 2016 UBCM Convention to the City of Victoria and 2018 UBCM Convention to the Resort Municipality of Whistler subject to your community complying fully with the UBCM "Host Responsibilities" requirements.

A decision on the 2020 UBCM Convention will be deferred at this time to allow member local governments the opportunity to bid if they can meet Host Responsibilities in the near future. If you wish to discuss this decision in greater detail, we would be pleased to follow up with you directly.

We want to express our sincere thanks for taking the time required to submit your bid. UBCM staff will be contacting the RMOW staff in 2015 to begin preliminary planning. We hope that you will again consider applying to host future UBCM Conventions when we next make a convention host request for 2020 and onwards.

Sincerely Yours,

Sav Dhaliwal
UBCM President

ubcm.ca

Association of Whistler Area Residents for the Environment
P.O . Box 1370, Whistler, BC V0N 1B0
info@awarewhistler.org
www.awarewhistler.org

Mayor and Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC, V0N 1B4

10th December 2014

Dear Mayor and Council,

The Association of Whistler Area Residents for the Environment (AWARE) would like to request on behalf of its members and the wider community, both within and beyond municipal boundaries, that you give consideration to the following.

Around the world over 110 nations recognize their citizen's right to live in a healthy environment. Unfortunately this is not the case in Canada. You may be aware of the national Blue Dot Tour and concurrent campaign that has been organised by the David Suzuki Foundation and Ecojustice. The aim of this campaign is simple, to have Canadian citizens right to a healthy environment reflected in the Charter of Rights. The approach is to create momentum from the ground up, with the people asking municipalities to make declarations of environmental rights on behalf of its constituents. Full details of the approach are included in Appendix 1.

In other communities there has been a range of responses to their residents calls for action around declarations for environmental rights. In Vancouver, the principles of the declaration were combined into their existing Healthy City Strategy (under goal 12); Yellowknife is also integrating the declaration into existing work. Montreal was the fourth city to support a declaration and they went so far as to incorporation a commitment to seek to advance similar declarations in the 80+ municipalities of the Greater Metropolitan Area, representing 3.8 million people, the vote was passed unanimously. In October Richmond adopted a declaration and has used the momentum and heightened engagement as an opportunity to formalise its own Sustainability Plan.

Appendix 2 to this letter provides a Model Municipal Declaration as proposed by the Blue Dot partners. In Whistler we have been progressive on many of the suggested priority actions highlighted in section 5, thanks to the foresight of Whistler: Its Our Nature, W2020, proactive bylaw development and the high value Whistler residents place on the environment. However, during the election there was increased dialogue around the gap in the community that has been left in the absence of W2020. While the principles of the plan are embedded within the RMOW, the absence of an on-going process has left local businesses, non-governmental organisations and community champions unsupported in the pursuit of various community derived goals outlined under the 16 W2020 strategies. The W2020 process may not have been perfect, but the principles it laid out remain relevant today and many could be directly applied to a declaration similar to that proposed by the Blue Dot partners.

With the above details and information in the appendices, we would like to request that Mayor and Council:

- Refer to RMOW staff the development of a declaration of environmental rights for Whistler, which supports the wider goals of the Blue Dot movement and reflects Whistler resident's values.
- Consider this as an opportunity to revisit W2020 and work with staff on a strategy for involving the wider community in sustainability actions that affect our community life, the resort experience, economic viability and protect the environment.

Having liaised with the Blue Dot partners extensively over the past six weeks we would be happy to pass on further information, contact details, etcetera, if this would be helpful to RMOW staff.

We thank you for taking the time to consider the above.

Sincerely,
Claire Ruddy
AWARE Executive Director
On Behalf of the AWARE Board and Membership

PHOTO / ELM LEAVES / BLONDIN RIKARD / CC BY 2.0

ecojustice

THE RIGHT TO A *Healthy* ENVIRONMENT

CANADA'S TIME TO ACT

PHOTO / ROBERT STUPKA / CC BY 2.0

TABLE OF CONTENTS

3 INTRODUCTION

4 PRINCIPLES OF STRONG ENVIRONMENTAL LAWS

5 REALITY CHECK

6 THE RIGHT TO A HEALTHY ENVIRONMENT

7 THE PATHWAY FOR CHANGE

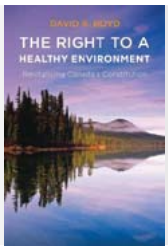
8 ENVIRONMENTAL RIGHTS IN ACTION

9 CONCLUSION

10 REFERENCES & FURTHER READING

ACKNOWLEDGEMENT

We would like to acknowledge former Ecojustice executive director Dr. David R. Boyd for his leadership on the issue of environmental rights in Canada. Much of the content in this publication is informed by his extensive body of work, particularly the 2012 book: *The Right to a Healthy Environment: Revitalizing Canada's Constitution.*



CATHERINE DONNELLY FOUNDATION

Special thanks to the Catherine Donnelley Foundation for their generous support of Ecojustice's Right to a Healthy Environment campaign.

CONTRIBUTORS

Authored by Kimberly Shearon and Margot Venton, with contributions from Darcie Bennett, Megan Bradfield, Savannah Carr-Wilson, Pierre Hamilton, and Pierre Sadik.

Graphic design by Christa Ledding
www.christaledding.com

INTRODUCTION

Most Canadians agree that strong environmental laws are important because they protect the quality of the air, water and land that our health depends on.

And yet, Canada consistently underperforms against its peers when it comes to environmental protection. In 2013, a report released by the Washington-based Center for Global Development ranked Canada's environmental protection record dead last among 27 wealthy countries.[1]

Despite being home to 20 per cent of the world's freshwater resources, Canada has no national law that regulates drinking water quality. Alberta's oil patch represents one of the biggest industrial projects on the planet, but federal laws fail to adequately regulate air, water or land pollution from oilsands extraction. Weak oversight by regulators also plagues the mining industry.

Countries around the world have begun to introduce laws to address or mitigate the effects of climate change, but Canada's laws have been slow to adapt. In fact, regulatory reviews of major energy projects in Canada consistently omit meaningful consideration of greenhouse gas emissions.

In almost every respect, Canada's environmental framework falls short. And we pay the price.

Weak environmental laws that fail to adequately protect against threats to the air, water and land that we all depend on put the health and wellbeing of Canadians at unnecessary risk.

But together, we can get Canada back on track. More than 110 countries have already recognized their citizens' right to a healthy environment by enshrining it in their national constitution. Now it's time that we demand Canada do the same.

Together, we can make it happen.

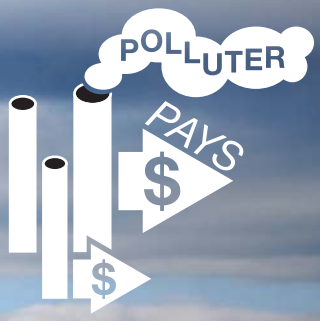
PRINCIPLES OF STRONG ENVIRONMENTAL LAWS

Change starts with strong laws.

At Ecojustice, we believe every environmental law must include a few basic principles. Laws grounded in these principles can protect the places and people we love and ensure that every Canadian — no matter who they are, or where they live — can enjoy a healthy environment.

Strong environmental laws ensure that everything we put into the air, land and water is taken into account when regulators make environmental decisions. Considering how a proposed project will add to an area's cumulative pollution load provides a more accurate picture of its environmental impacts and helps prevent the creation of toxic hot-spots.

Strong environmental laws prevent toxic hot spots from developing and ensure that no one community suffers from a disproportionate pollution burden. They also ensure that regulators consider how our actions impact future generations so that our children don't suffer the consequences of degraded air, water and land.



Strong environmental laws ensure that when the actions of an individual or corporation degrade our water, air or land, the polluter — not taxpayers — pays to clean up the mess.

Strong environmental laws ensure that governments give concerned citizens meaningful opportunities to weigh in on environmental decision-making that affects their community and step in when those governments fail to enforce their own laws.

Strong environmental laws ensure that decision-makers 'look before they leap' where our air, land and water is concerned. When decision-makers have an incomplete understanding of the environmental risks associated with a project or plan, they err on the side of caution and impose safeguards to stop harm before it happens.

Strong environmental laws recognize that you can't enjoy a strong economy without a healthy environment. Protecting and restoring the quality of our air, water and land for future generations makes good economic and environmental sense.

REALITY CHECK

Canada's environmental law framework is far from comprehensive.

In almost every instance, Canada's federal laws fail to incorporate the six basic principles of strong environmental laws.

Jurisdictional issues also pose a challenge to effective protection of Canada's air, water and land. Because the environment is never referenced in the Canadian Constitution, there is uncertainty about which level of government is ultimately responsible for protecting people and the natural world from environmental harm.

Like the federal government, provincial and territorial governments have a mandate to create and implement environmental laws. However, inconsistencies from jurisdiction to jurisdiction have resulted in an ineffective patchwork of environmental laws with major gaps that put the health of Canadians at risk.

For instance, drinking water quality is managed by the provinces and territories, which each have its own policy. These policies are not all created equal, meaning the quality of drinking water in Toronto may be significantly better than in Whitehorse. And because Canada has no national water law, communities under federal jurisdiction — such as First Nations reservations — have no legal protection of their drinking water quality and are therefore exposed to disproportionate health risks.

A United Nations study published in 2009 found that First Nations' homes are 90 times more likely to be without running water than the homes of other Canadians.[2] As of May 2014, Health Canada reported that there were 130 drinking water advisories in effect in 91 First Nation communities.[3]

Canadians deserve — and must demand — better.

CASE STUDY: NEB ACT

The federal government gutted some of Canada's most important environmental laws when it forced through its omnibus budget bills in 2012.

The *National Energy Board Act* is one law that is significantly weaker today than it was pre-2012. As part of its efforts to fast-track major pipeline projects, the federal government rewrote key parts of the law, sacrificing independent science and a democratic, thorough review process at the altar of "efficiency."

As a result, valuable opportunities for public input have been restricted or stripped away in an (unsuccessful) attempt to ensure that the Kinder Morgan Trans Mountain Expansion Project's review process takes no more than 15 months. There will be no cross-examination on the company's evidence, meaning intervenors — like the clients Ecojustice represents — will not have the opportunity to directly challenge Kinder Morgan's evidence about the safety of its proposal.

The narrow scope of the review process also explicitly excludes from consideration the environmental and human health impacts of climate change and oilsands development associated with the pipeline.

The result is a deeply flawed process that undermines the NEB's ability to fulfill one of its core duties: Regulate in the public interest.

THE RIGHT TO A HEALTHY ENVIRONMENT

At a time when many countries around the world are introducing progressive legislation to protect their air, water and land, Canada is falling behind.

But there's a way to get Canada back on the right track.

It starts with you. And it ends with Canada enshrining the right to a healthy environment in the Charter of Rights and Freedoms.

The Charter gives each and every Canadian inalienable rights. It ensures freedom of expression and protects us from discrimination. It also guarantees each of us the right to life, liberty and security of person.

Here are three reasons why it's time for Canada's highest law to recognize each and every Canadian's right to a healthy environment:

Canada's patchwork of environmental laws means that thousands of First Nations people across the country do not have access to clean running water. It also means that communities near toxic hotspots like Sarnia's notorious Chemical Valley and Alberta's Fort McMurray, disproportionately bear Canada's pollution burden because governments continue to authorize industrial sprawl in these areas without considering cumulative environmental impacts. In some cases, pollution is not even being monitored.

▷▷ **The right to a healthy environment could fix these inequities by compelling governments to recognize that — regardless of who they are or where they live — every Canadian is entitled to a minimum standard of environmental quality.**

Canada has surprisingly weak rules about air pollution, drinking water safety and the use of toxic substances. For example, even though the Canadian Medical Association reports that air pollution contributes to more than 20,000 premature deaths each year,[4] Canada — unlike the United States, Australia and the European Union — has no legally-binding national air quality standards.

▷▷ **The right to a healthy environment could mandate the creation of new environmental laws, or require existing ones to be strengthened. This will have an immediate, direct impact on the quality of the air, water and land that our health depends on.**

Federal, provincial, territorial and municipal environmental laws in Canada can be rolled back at any time. But in countries that recognize their citizens' environmental rights this is not the case. Courts in many of these countries have recognized the "standstill principle," which interprets the right to a healthy environment to mean that existing environmental laws are a baseline that can be improved, but never weakened.

▷▷ **The right to a healthy environment could stop harmful law rollbacks — like the sweeping changes buried in the 2012 federal omnibus budget bills — before they happen, and ensure that efforts to protect the air, water and land on which we all depend stand the test of time.**

THE PATHWAY FOR CHANGE

More than 110 countries around the world recognize that environmental rights are human rights. It's time that Canada's most powerful law did the same.

Here's how we can get there together.

3 OUR SHARED VISION

ALL CANADIANS HAVE THE CHARTER RIGHT TO A HEALTHY ENVIRONMENT.

Laws and policies at all levels of government adapt to recognize this new right.

2 TOOLS FOR CHANGE

STRATEGIC LITIGATION

Individuals or public interest groups make the case that a government action or decision that resulted in dangerous levels of air pollution, contamination of a water supply, or another form of environmental degradation is unconstitutional because it violates an existing Charter right (e.g. s.7: the right to life, liberty and security of the person). A legal victory would establish that existing Charter rights encompass the right to a healthy environment.

A NEW RIGHT

Adding a new right to the Charter is difficult, though not impossible. It would require Parliament's approval and the support of seven of the ten provinces, accounting for 50 per cent of the country's population. If that consent is secured within a three-year period, the federal government could add a section to the Charter recognizing the right of every Canadian to live in a healthy environment.

JUDICIAL REFERENCE

Any federal, provincial, and territorial government can ask the Supreme Court to answer important legal questions such as whether the right to a healthy environment is implicit in the right to life, liberty and security of the person. This process, known as a judicial reference, has been used over a hundred times and the results are binding on lawmakers.

1 IT STARTS WITH YOU

Large-scale legal change starts in our own backyards. When we come together to demand that our right to a healthy environment be recognized, we will create a groundswell too great for our decision-makers to ignore.

Canadians from coast to coast to coast are already leading grassroots campaigns urging their local communities to make declarations of support for environmental rights. Learn more at **www.bluedot.ca**.

Some provinces, including Ontario and Quebec, already have provincial bills of environmental rights. And as more communities join the call for action, there will be pressure on the other provinces to follow suit. While these bills do not have the same force as a Charter right, they send a strong signal that Canadians are ready for change.

CHARTER RIGHTS IN ACTION

Sexual orientation is never mentioned in the Charter, but in 1995 the Supreme Court of Canada ruled that discrimination based on sexuality is analogous (comparable) to discrimination based on race, national or ethnic origin, and, as such, prohibited

Four years later, the Supreme Court also found that the definition of "spouse" that prevented same-sex partners from applying for support upon relationship breakdown was unconstitutional. Across the country, legislators began to bring their laws in line with same-sex couples' newly recognized rights.

PHOTOS / COLLAGED / KRIS ARNOLD / SIMON STEINBERGER / CC BY 2.0

ENVIRONMENTAL RIGHTS IN ACTION

Environmental rights can improve human health, restore damaged ecosystems, and protect natural resources. Here are three powerful examples of how having the right to a healthy environment is making a difference around the world.

NORWAY

The inclusion of environmental rights in Norway's constitution coincided with a boom in the country's offshore oil and gas industry. In order to meet obligations to guarantee its citizens' right to a healthy environment, the Norwegian government developed innovative ways to reduce its greenhouse gas emissions to offset growing fossil fuel production.

Norway implemented an 80 per cent tax on oil and gas company profits. It also introduced a carbon tax and invests the money in environmental and social programs.[5] While still a major oil and gas producer, Norway is now among the handful of countries committed to becoming carbon neutral.

THE PHILIPPINES

The Philippines recognizes its citizens' right to a healthy environment, and as a result, Manila Bay — a notorious pollution hotspot — is being cleaned up.

In 2008, the Supreme Court of the Philippines released a major judgment in a case brought by "Concerned Residents of Manila Bay" which stated that government agencies "cannot shirk from their mandates." The court ordered 12 government agencies to develop a comprehensive plan to rehabilitate the bay. The court even took the unusual step of appointing itself to supervise restoration efforts.

The Philippines is now in the process of cleaning up 14 river systems in an effort to reduce pollutants entering Manila Bay by 50 per cent by 2015.[6]

PORTUGAL

In 1976, Portugal became the first country in the world to enshrine the right to healthy environment in its constitution. A decade later, it introduced the *Environmental Framework Law* to ensure that government decision-making at all levels respects its citizens' environmental rights.

The law requires the government to evaluate industrial proposals using the precautionary principle to prevent pollution and mitigate its impacts before it happens. So when a proposal to build a gas station threatened the air quality around an elementary school, a Portuguese court ruled that the gas station would violate the schoolchildren's right to a healthy environment and could not be built.

CONCLUSION

Change is afoot. Around the world, countries are being forced to adapt to the realities of climate change, water scarcity and deteriorating air quality. In the last 50 years, the right to a healthy environment has gained recognition faster than any other human right.[7]

When countries commit to legally protecting the basic elements of our survival — clean air, drinkable water and unpolluted land — the benefits are clear. Lighter ecological footprints. Stronger environmental laws. Healthier communities.[8]

PHOTO / SEBASTIEN LAUNAY / CC BY 2.0

98% of Canadians **view nature as essential to human survival.**[9]

And according to a 2012 poll conducted by the David Suzuki Foundation, **85%** of Canadians **agree that people should have the right to a healthy environment.**

By enshrining the right to a healthy environment in the Canadian Charter, we can align our highest law with our most deeply-held values. The right to a healthy environment will be a powerful catalyst in improving the quality of our laws, our environment and our health.

We've seen it in Norway. In the Philippines. In Portugal. **Now it is Canada's turn.**

REFERENCES

1 "Commitment to Development Index 2013" accessed July 21, 2014, http://www.cgdev.org/publication/commitment-development-index-2013

2 UN Department of Economic and Social Affairs, Secretariat of the Permanent Forum on Indigenous Issues. 2009. The State of the World's Indigenous Peoples. New York: United Nations, p. 25.

3 "Drinking Water and Waste Water' accessed July 21, 2014 http://www.hc-sc.gc.ca/fniah-spnia/promotion/public-publique/water-eau-eng.php

4 Canadian Medical Association No Breathing Room; National Illness Cost of Air Pollution (2008).

5 David R. Boyd "The Nature Debate, part 1: Make it Law" Financial Post, January 25, 2013.

6 David R. Boyd, The Right to a Healthy Environment: Revitalizing Canada's Constitution, (Vancouver: UBC Press, 2012): 164.

7 David R. Boyd, "The Constitutional Right to a Healthy Environment" accessed July 30, 2014 http://www.environmentmagazine.org/Archives/Back%20Issues/2012/July-August%202012/constitutional-rights-full.html

8 David R. Boyd, Constitutional Recognition of the Right to a Healthy Environment: White Paper (Vancouver: David Suzuki Foundation: 2013)

9 David R. Boyd, Unnatural Law: Rethinking Canadian Environmental Law and Policy (Vancouver: UBC Press, 2003): 4

FURTHER READING

Alvin Singh and Alaya Boisvert, *Broken Ground: On the Frontlines of a Fractured Landscape* (David Suzuki Foundation, 2014) available at: http://brokenground.ca/

David R. Boyd, *Unnatural Law: Rethinking Canadian Environmental Law and Policy* (Vancouver: UBC Press, 2003)

David R. Boyd, *The Right to a Healthy Environment: Revitalizing Canada's Constitution* (Vancouver: UBC Press, 2012).

Paul R. Muldoon, *An Introduction to Environmental Law and Policy in Canada*. (Toronto: Emond Montgomery Publications, 2008)

R.D. Bullard, *The Quest for Environmental Justice: Human Rights and the Politics of Pollution* (San Francisco, Sierra Club Books, 2005)

William Amos and Margot Venton, *Restoring the Balance: Recognizing Environmental Rights in British Columbia* (Vancouver: Ecojustice, 2009)

Model Municipal Declaration
The Right To A Healthy Environment

Whereas the MUNICIPALITY understands that people are part of the environment, and that a healthy environment is inextricably linked to the well-being of our community;

The MUNICIPALITY finds and declares that:

1. All people have the right to live in a healthy environment, including:

   The right to breathe clean air

   The right to drink clean water.

   The right to consume safe food.

   The right to access nature

   The right to know about pollutants and contaminants released into the local environment.

   The right to participate in decision-making that will affect the environment

2. The MUNICIPALITY has the responsibility, within its jurisdiction, to respect, protect, fulfill and promote these rights.

3. The MUNICIPALITY shall apply the precautionary principle: where threats of serious or irreversible damage to human health or the environment exist, the MUNICIPALITY shall take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for the MUNCIPALITY to postpone such measures

4. The MUNICIPALITY shall apply full cost accounting: when evaluating reasonably foreseeable costs of proposed actions and alternatives, the MUNICIPALITY will consider costs to human health and the environment.

5. By Dec 31rst 2015, the MUNICIPALITY shall specify objectives, targets and timelines and actions the MUNCIPALITY will take, within its jurisdiction, to fulfill residents' right to a healthy environment, including priority actions to:
   a. Ensure equitable distribution of environmental benefits and burdens within the municipality, preventing the development of pollution "hot spots";
   b. Ensure infrastructure and development projects protect the environment, including air quality;
   c. Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
   d. Responsibly increase density;
   e. Prioritize walking, cycling and public transit as preferred modes of transportation;
   f. Ensure adequate infrastructure for the provision of safe and accessible drinking water;
   g. Promote the availability of safe foods;
   h. Reduce solid waste and promote recycling and composting;
   i. Establish and maintain accessible green spaces in all residential neighbourhoods.

   The MUNICIPALITY shall review the objectives, targets, timelines and actions every five (5) years, and evaluate progress towards fulfilling this declaration.
   The MUNICIPALITY shall consult with residents as part of this process.

Municipal Declaration of Environmental Rights — FAQs

What are environmental rights?

Just as Canada's Charter of Rights and Freedoms guarantees us freedom of expression and protects us from discrimination, environmental rights would ensure that our laws and policies protect the basic elements of our survival, such as clean air, safe water and unpolluted land. Over the past 50 years, the right to a healthy environment has gained recognition faster than any other human right. Today, Canada is among a minority of countries that does not yet to recognize the right to a healthy environment.

Is the environment a municipal issue?

Municipal governments make decisions that affect transportation, housing density, waste disposal and other issues related to the quality of the environment. Local governments also have the power to pass bylaws to protect residents from environmental harm. For example, in 1991, the Municipality of Hudson, Quebec, passed a bylaw to restrict the use of pesticides. Since then, communities across Canada have considered passing pesticide restrictions to protect the health of residents.

What is a municipal declaration of environmental rights?

Even though our national Constitution does not formally recognize environment rights, local governments can introduce declarations of environmental rights to show their support for residents' rights to clean air, water and safe food. Declarations are also a commitment by municipalities to address local environmental concerns. Municipal declarations also have the power to draw attention to the Canadian Constitution's silence on environmental issues.

What would a declaration of environmental rights mean in my community?

A municipal declaration of environmental rights is a commitment to decision-making principles that will protect, fulfill and promote the right to a healthy environment. A community's specific declaration might include a commitment to use the best and latest available science to ensure that the right to a healthy environment is always considered when decisions are made. A declaration can also include a commitment to set clear environmental objectives and targets for air pollution or other issues of relevance to the community. Finally, a declaration of environmental rights can ensure accountability through regular assessment and public reporting of the municipality's progress on meeting its sustainability objectives.

Will municipal declarations support environmental rights for all Canadians?

Large-scale social change starts in our own backyards. As a growing movement of Canadians calls upon local communities to pass municipal declarations respecting people's right to live in a healthy environment, decision-makers across all provinces and territories will take notice. This will put pressure on provinces to follow suit and pass environmental bills of rights, as some provinces, including Ontario and Quebec, have already done. While these bills do not have the same force as a Charter right, they send a strong signal that Canadians are ready for change. When seven out of 10 provinces representing more than 50 per cent of the Canadian population have recognized our right to a healthy environment we turn toward the ultimate goal: adding environmental rights to the Canadian Charter of Rights and Freedoms.

How can I support a declaration in my community?

Canadians from coast to coast to coast are already leading grassroots campaigns to urge their local communities to make declarations of support for environmental rights. To find out how you can get involved in your community, visit www.bluedot.ca.

From: David Tompkins [mailto:info@tfgglobal.com]
Sent: Monday, December 29, 2014 6:25 PM
To: Wanda Bradbury
Cc: Steve Anderson; Jen Ford; Andrée Janyk; Jack Crompton; Sue Maxwell
Subject: FW: Lions Bay - lack of concrete medians through entire Lions Bay area of Highway 99 causes deaths and injuries

Dear Whistler Mayor and Council,

Please see my email below to the transport minister of BC along with Squamish Council, who has asked that I also send along to the Whistler Council. I was interviewed by CBC Radio on this today (should air Tuesday) and I have started an online petition as well. Since many of your citizens travel the highway to and from Vancouver, I was wondering if the Whistler council could express its support?
https://www.change.org/p/concrete-barrier-along-lions-bay-section-of-highway-99

Feel free to post the online petition to your web site and social media.

David Tompkins
West Vancouver Resident
604-351-5278
info@tfgglobal.com

On Dec 29, 2014, at 9:35 PM, David Tompkins <info@tfgglobal.com<mailto:info@tfgglobal.com>> wrote:

Dear Squamish Mayor and Council,

Please see my email below to the transport minister. I was interviewed on this today and I have started an online petition as well. Since many of your citizens travel the highway to Vancouver, I was wondering if the council could express its support?
https://www.change.org/p/concrete-barrier-along-lions-bay-section-of-highway
-99

Feel free to post the online petition to your web site and social media.

I await your reply.

David Tompkins
604-351-5278
info@tfgglobal.com<mailto:info@tfgglobal.com>
From: David Tompkins [mailto:info@tfgglobal.com]
Sent: December 29, 2014 11:15 AM
To:
'Minister.Transportation@gov.bc.ca<mailto:Minister.Transportation@gov.bc.ca>
'; 'patrick.livolsi@gov.bc.ca<mailto:patrick.livolsi@gov.bc.ca>'
Cc: 'council@lionsbay.ca<mailto:council@lionsbay.ca>';
'office@lionsbay.ca<mailto:office@lionsbay.ca>';
jordan.sturdy.mla@leg.bc.ca<mailto:jordan.sturdy.mla@leg.bc.ca>;
'wmoriarty@theprovince.com<mailto:wmoriarty@theprovince.com>';
'smiller@theprovince.com<mailto:smiller@theprovince.com>'
Subject: Lions Bay - lack of concrete medians through entire Lions Bay area of Highway 99 causes deaths and injuries
Importance: High

Dear Minister Todd Stone, Minister of Highways & Patrick Livolsi, Regional Director,

I am not a resident of Lions Bay, but instead reside in West Vancouver and take the highway to Whistler. I have often wondered why on earth the very windy section of highway through Lions Bay has large open sections where there is no concrete barrier. Instead the Provincial government in their infinite wisdom have instead decided that it would be safer to place trees and shrubs in some sections of the highway instead of having concrete medians placed through the entire stretch of highway. I should have brought this obvious safety hazard to your attention, but I was not sure who was or is responsible for this serious safety issue. It seems that someone put aesthetics ahead of safety. Yes I understand that this sections has a 60 kilometres speed limit through the highway, but you have to expect that many will not follow this direction and you should plan accordingly. It makes absolutely no sense to place shrubs and trees through some sections and not to have a concrete median between the oncoming lanes of traffic throughout the 99 highway that passes through Lions Bay. Whomever made this decision put lives at risk and this was demonstrated by the recent crash this weekend in Lions bay that occurred just before or after a concrete median. A car passed through the "shrub barrier" and struck an oncoming car and serious injuries resulted. I am not sure if this has happened before in Lions Bay, but it will happen again if concrete barriers are not placed through the entire section. Someone will die because aesthetics are more important than safety to someone who designed this section of highway. I assume it is the Province of BC which is responsible for this egregious safety lapse, but it should get fixed as soon as possible before lives are lost. Legal action could be taken by anyone injured as a result of this safety lapse.

Here is a link to the news article of the recent crash this past Sunday in Lions Bay:
http://www.theprovince.com/sports/Accident+north+Lions+causing+Sunday+mornin
g+delays+Highway/10685730/story.html
"The Sea to Sky Highway was closed Sunday shortly before 8 a.m. PT after a southbound car crossed the centre median and collided with a northbound truck, north of Lions Bay."
Here is another:
http://globalnews.ca/news/1745793/serious-collision-on-sea-to-sky-highway-le

ads-to-major-traffic-delays/
You can see where the accident happened on Dec 28th, 2014 - just before or after concrete barrier - you can also see the section where there is a curve in the highway without a concrete barrier.

I checked the internet and found this very good video of the problem that I am pointing to. As you can see, there were three UBC students killed in a head on accident in Lions Bay where there was no barrier:
http://ubyssey.ca/videos/sea-to-sky-collision-578/
So this clearly illustrates that lives have been lost by this safety lapse in 2013. Lions Bay asked for more barriers and you have not headed their
request: http://www.cbc.ca/m/touch/canada/britishcolumbia/story/1.2438746

I encourage the Lions Bay council & my MLA John Sturdy to apply more pressure on your office to make this safety change. I strongly encourage the Minister of Transportation and the Regional Director to quickly remedy this safety hazard. There is no need for a study as the problem is so painfully obvious to anyone who drives this section of highway. How many more people will be seriously injured and die before you fix this safety hazard in Lions Bay?

I would appreciate a reply to my request ASAP and also of course immediate action. The work could be started now even before the Winter driving season ends.

David Tompkins
C: 604-351-5278
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West Vancouver, BC V7W 3J6

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PLAYGROUND OF THE PEACE

9904 Dudley Drive
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Via E-mail

December 2, 2014

Mayor Nancy Whilhelm Morden and Council
Resort Municipality of Whistler

Dear Mayor and Council Members

Re: Referral of Proposed Site C Dam Project to BC Utilities Commission

Now that the November 2014 local government elections are complete, I am pleased to forward you a copy of our letter dated November 18th, 2014 regarding the proposed Site C Dam Project.

Site C would add about $8 billion dollars to the provincial debt leaving the province with much less ability to contribute to important local government infrastructure projects in areas such as transit, water, sewer, and housing. Finance Minister Mike De Jong is quoted in the attached article as saying, "It [Site C] will likely crowd out many other projects."

The District of Hudson's Hope and the Peace River Regional District are calling on the BC government to place a one year moratorium on deciding whether to proceed with Site C. This will allow time to refer Site C to the BC Utilities Commission (BCUC) for an inquiry and public hearing into its economic effects, including potentially less costly alternatives. Adoption of a less costly alternative would free up provincial borrowing capacity to support important local government infrastructure priorities.

We ask you to review our November 18th, 2014 letter and to consider resolving to support our request for a one year moratorium and BCUC consideration of less expensive alternatives to Site C.

Yours truly,

Mayor Gwen Johansson

Vaughn Palmer: On power, fork in the road is a dam dilemma

Site C vs. independent power producers, debt vs. multi-year contractual obligations

BY VAUGHN PALMER, VANCOUVER SUN COLUMNIST NOVEMBER 28, 2014

Energy Minister Bill Bennett chats with First Nations representatives at the All Chiefs Summit held at the Hotel Vancouver a year ago. First Nations considerations are one of the many factors the B.C. Liberals consider as they ponder green-lighting Site C.

Photograph by: Kim Stallknecht, Vancouver Sun

VICTORIA — As decision day approaches, the B.C. Liberals face two main choices to meet the province's future electricity needs, both controversial.

"I can tell you that we're down now to essentially two options, one of which is Site C and one of which is the independent power project option," Energy Minister Bill Bennett told reporters recently.

The first option would see BC Hydro construct a last-of-its-kind hydroelectric dam at Site C on the Peace River.

The second would entail Hydro contracting with private operators to build smaller-scale power projects — wind, run of river, perhaps biomass and geothermal — that would be scattered around the province.

In disclosing the final two options, Bennett tacitly confirmed that the Liberals have dropped

consideration of building either a new gas-fired generating plant or refurbishing the little-used thermal plant on Burrard Inlet.

Each of the two remaining options has its proponents and — no surprise, this being British Columbia — each also raises ferocious objections. Anything one might say on this file is debatable, including this statement.

The pluses for Site C, as the government sees them, are that hydro is the proven method of electrical generation in this province and it provides some of the cheapest rates on the continent. Once the construction cost has been paid out, hydro dams are reliable for the long-term and there's no need to estimate the future cost of fuel, as with a gas-fired plant.

For the Liberals, independent power projects have their good points too. "I don't think there's any issue around the reliability of the independent power industry," Bennett told reporters. "It's a good industry. We're actually very proud to have it. We get 25 per cent of our electricity today in the province from the IPP industry."

The industry, in a recent analysis (the one prepared, then withdrawn by KPMG), cited some other advantages of smaller-scale projects over the all-or-nothing aspect of Site C. IPPs could be phased in over time and spread around the province. Hydro could contract for range of power sources, including unproven-for-B.C. options such as geothermal.

Bennett, for his part, insists that the deciding factor between the two options should be the impact of each on future electricity rates. "We have to make a decision here that will have implications for many, many decades to the people who live in the province, to the businesses that operate here. We have to try to do everything we can to keep rates down, and that's the basis upon which we'll make this choice."

But having seen competing analyses on that score over the years, I doubt there's an indisputable answer to the question raised by Bennett. It all depends on the assumptions one makes going in and going forward.

Besides, other considerations have to be weighed, including the veto-in-all-but-name that First Nations exercise over resource development in this province.

One advantage for independent power involves the emerging role in such projects for First Nations as partners, developers and suppliers of services. By comparison, natives in the Peace River region have mounted a strong legal case that Site C would cause irreparable damage to aboriginal rights, title and interests.

Another factor is the impact on the provincial debt. IPPs don't entail a lot of provincial borrowing. They are underwritten in large measure by long-term contracts, which by verdict of the independent auditor general (applying generally accepted accounting principles) are listed in the public accounts as $56 billion-and-counting worth of multi-year contractual obligations but not as debt.

Not so with BC Hydro. Because of the corporation's already hefty debt load, and the government's practice of raiding its accounts for dividends, the giant utility will have to borrow much of what it estimates to be the cost of Site C, namely $8 billion.

The province is already constrained in how much more it can borrow, according to Finance Minister Mike de Jong. "I don't think we have a lot of room to move at this point," he told me during an interview Thursday on Voice of B.C. on Shaw TV.

"Those rating agencies that assess us increasingly look at other variables and other measures ... The distinction that has historically been made by these agencies between taxpayer-supported debt and the debt incurred by agencies like BC Hydro, which is self-supporting, is beginning to blur in the minds of some of these bodies. So I'm saying we have to be cautious."

Plus if Hydro is green-lighted to borrow billions for Site C, there will be that much less borrowing room for everything else. "It will likely crowd out many other projects," de Jong continued.

Not to say that debt-loading or First Nations will trump all other considerations. Only that when the Liberals say this is one of the toughest and most expensive decisions they've faced, they mean it.

As to timing, Premier Christy Clark told reporters Thursday that BC Hydro, as proponent for Site C, is pressing for a "yes" by the end of the year in order to take full advantage of the 2015 construction season.

But she also left open the possibility that the decision, being contentious, could spill over into next year.

vpalmer@vancouversun.com

Click here to report a typo or visit vancouversun.com/typo.

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PLAYGROUND OF THE PEACE

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Open Letter to BC Minister of Energy and Mines Bill Bennett

Via E-mail

November 18, 2014

The Honourable Bill Bennett
Minister of Energy and Mines and
Minister Responsible for Core Review
Government of British Columbia
PO Box 9041 Stn. Prov. Govt.
Victoria, BC V8W 9E1

Dear Minister Bennett:

Re: Referral of Proposed Site C Dam Project to BC Utilities Commission

I am writing in response to your letter dated October 31, 2014 received on November 12, 2014.

The District of Hudson's Hope, a community of 1,100 people in the heart of the Peace River Valley, will be more adversely impacted than any other municipality by the proposed Site C dam.

We have reviewed your letter and respectfully remain firmly of the view that the BC Utilities Commission should hold an inquiry and public hearing on the economic effects of the proposed Site C Dam Project ("Site C") prior to Executive Council making a final decision on Site C, especially in view of key recommendations #46 to #49 of the Joint Review Panel.

The Joint Review Panel noted in its report that it did not have the information and analysis to fully, properly and transparently assess the economic effects of Site C:

> The Panel **cannot conclude on the likely accuracy of Project cost estimates** because it does not have the information, time or resources. This affects all further calculations of unit costs, revenue requirements, and rates. [Page 280]
>
> The Panel concludes that, **basing a $7.9 billion Project on a 20-year demand forecast without an explicit 20-year scenario of prices is not good practice.** Electricity prices will strongly affect demand, including Liquefied Natural Gas facility demand. [Page 287]
>
> The Panel concludes that **demand management does not appear to command the same degree of analytic effort as does new supply**. [Page 291]

> The Panel concludes that **methodological problems in the weighing and comparison of alternatives** render unitized energy costs only generally reliable as a guide to investment…Uncosted attributes such as the ability to follow load, geographical diversity, or the ability to assist with the integration of intermittent sources need more analytic attention. [Page 298]
>
> The Panel concludes that a **failure to pursue research over the last 30 years into B.C's geothermal resources** has left BC Hydro without information about a resource that BC Hydro thinks may offer up to 700 megawatts of firm, economic power with low environmental costs. [Page 299]
>
> The Panel concludes that the Proponent has **not fully demonstrated the need for the Project on the timetable set forth.** [Page 306] *[emphasis added]*

As a result, Hudson's Hope, along with other participants in the Joint Review Panel public hearing, did not have an opportunity to review key information and analysis on Site C's economic effects.

The federal/provincial agreement governing the environmental assessment of Site C and the Panel's terms of reference highlight the importance of:

(a) thorough review, and

(b) meaningful participation of the public and interested groups through a public hearing,

to achieve a full, proper and transparent assessment of Site C.

Since the Joint Review Panel's release of its report on May 1st, 2014, interested parties including BC Hydro, the Ministry of Energy and Mines, other provincial government ministries and agencies, KPMG, the District of Hudson's Hope, and Clean Energy BC have prepared, or are preparing new information, analysis, reports, studies, forecasts and research ("New Material") in an effort to address the above concerns and recommendations of the Joint Review Panel. This New Material includes further examination of potentially less costly alternatives to Site C and the implications of Site C for the province's triple-A rating which has been given a negative outlook by Moody's.

However, unlike previous information and analysis on the environmental, economic, social, health and heritage effects of Site C, this New Material has been largely kept confidential. Most importantly, the New Material has not been the subject of independent and expert assessment and a public hearing as the terms of reference of the Joint Review Panel would have required. It is clear that further analysis of Site C is needed before Executive Council makes a final decision. As recently as November 13th, 2014, the Select Standing Committee on Finance and Government Services unanimously agreed that further fiscal and environmental review of Site C was needed. The issue is whether that additional analysis should include independent and expert review and a public hearing.

We continue to believe that the BC Utilities Commission ("BCUC") offers the best avenue for further independent, expert review and a public hearing regarding the economic effects of Site C. A review under section 5 of the *Utilities Commission Act* could be structured in a way that addresses all of your stated concerns with a BCUC review.

The Task Force conducting the independent review of the BC Utilities Commission highlighted the efficacy of the section 5 review approach[1] in their October 2014 interim report:

> This [section 5] provides the **benefit of a public process and independent verification of projects and plans** but reserves the final decision on plans and projects that have broader public interest criteria to be decided by elected officials. [page 37] *[emphasis added]*

We are enclosing draft section 5 terms of reference to illustrate how a BCUC review could be structured. Please note:

- The final decision on Site C still rests with Executive Council,
- BCUC is given a deadline of November 30, 2015 to complete its work[2],
- The BCUC review is focused on new information and analysis regarding the economic effects of Site C to minimize duplication of previous assessment work, and
- Funding could be set aside by BC Hydro[3] or the BC Government in 2015/2016 to ensure BCUC has the necessary resourcing to complete this work in a timely manner.

Site C is estimated to cost $7.9 billion which would make it the largest provincial public expenditure of the next 20 years. It is essential to public confidence in Executive Council's final decision on Site C, that a full, proper and transparent assessment of New Material on the economic effects of Site C is conducted. Further, that the assessment and analysis should come through an inquiry and public hearing, just as there was for previous information and analysis on Site C.

---

[1] As the Task Force noted –

> Section 5 requires the BCUC, on Cabinet's request, to provide advice on any matter regardless of whether it is in the Commission's jurisdiction. Section 5 also allows Cabinet to issue Terms of Reference for the inquiry. Government, rather than exempting projects and/or plans through direction and legislation, could direct these projects be subject to a section 5 review and recommendation to Cabinet. This provides the benefit of a public process and independent verification of projects and plans but reserves the final decision on plans and projects that have broader public interest criteria to be decided by elected officials.
>
> Broader use of section 5 is similar to the approach taken by the Federal government in its recent amendments to the National Energy Board Act. These amendments redefined the role of the Board, which is now mandated not to decide on applications for pipeline certificates, but to instead make a recommendation to the Federal Cabinet.

[2] There is time for this additional work: "The Panel concludes that, under the Low Liquefied Natural Gas Case, available resources could provide adequate energy and capacity until at least 2028" [Page 304 Joint Review Panel Report]

[3] The funding required to support a BCUC inquiry and public hearing would be modest in comparison to the over $300 million expended by BC Hydro to date on Site C.

For a project of this size and importance, we agree with the independent Joint Review Panel – the proper course of action is to refer Site C to the BC Utilities Commission.

In closing, we formally request that Executive Council

1. Place a one year moratorium on deciding whether to proceed with Site C, and
2. Refer the economic effects of Site C to the BC Utilities Commission for an inquiry and public hearing.

I request an opportunity to meet with you to discuss this letter before Executive Council decides whether or not to proceed with Site C.

Yours truly,

Gwen Johansson
Mayor

Cc: BC Government Executive Council Members
BC Opposition Party Leaders
UBCM Membership

Encl.

DRAFT TERMS OF REFERENCE

IN THE MATTER OF the *Utilities Commission Act* (the *Act*)

and

IN THE MATTER OF an Inquiry under Section 5 of the *Act* relating to the Site C Clean Energy Project

BACKGROUND

1. British Columbia Hydro and Power Authority (the "Proponent") proposes to develop and operate a third dam and hydroelectric generating station on the Peace River in northern British Columbia which would provide up to 1,100 MW of capacity and about 5,100 gigawatt (GWh) of energy each year (the "Project").

2. The Project is estimated to cost $7.9 billion which would make it the largest provincial public expenditure of the next 20 years.

3. In August 2013, the federal and provincial governments named a Joint Review Panel (the "Panel") to conduct an independent and expert assessment of the environmental, economic, social, health, and heritage effects of the Project.

4. The federal/provincial agreement governing environmental assessment of the Project and the terms of reference for the Panel (the "Panel Terms of Reference") required the Panel to hold a public hearing in order to provide opportunities for timely and meaningful participation of aboriginal groups, the public, governments, the Proponent and other interested groups (the "Participants") in the assessment of the Project.

5. The Panel Terms of Reference provide that the objective of the public hearing is to provide the Panel with relevant information from Participants, in a fair manner, to enable the Panel to conduct a thorough and timely review of the Project.

6. A public hearing conducted in accordance with the principles of procedural fairness inherently contributes to a full, proper and transparent assessment of the Project.

7. The Panel Terms of Reference require the Panel to consider the economic effects of the Project including:
    (a) the need for the Project,
    (b) alternatives to the Project,
    (c) the economic effects of the Project,
    (d) the significance of the economic effects of the Project,
    (e) the value of electricity generated by the Project,
    (f) initial capital construction cost and operating cost estimates,
    (g) impacts on government revenue, and

(h) impacts on gross domestic product.

(the "Economic Effects")

8. The Panel Terms of Reference require the Panel to prepare and deliver a Joint Review Panel Report on the Project (the "Report") to the federal and provincial government who in turn are required to publish the Report.

9. On May 1st, 2014, the Panel delivered its Report to the federal and provincial government and the Report was published.

10. The Panel did not have the information, analysis, reports, studies, forecasts, and research to fully, properly and transparently assess the Economic Effects of the Project. In its Report the Panel notes:

> "The Panel cannot conclude on the likely accuracy of Project cost estimates because it does not have the information, time or resources. This affects all further calculations of unit costs, revenue requirements, and rates." [Page 280]
>
> "The Panel concludes that, basing a $7.9 billion Project on a 20-year demand forecast without an explicit 20-year scenario of prices is not good practice. Electricity prices will strongly affect demand, including Liquefied Natural Gas facility demand." [Page 287]
>
> "The Panel concludes that demand management does not appear to command the same degree of analytic effort as does new supply." [Page 291]
>
> "The Panel concludes that methodological problems in the weighing and comparison of alternatives render unitized energy costs only generally reliable as a guide to investment…Uncosted attributes such as the ability to follow load, geographical diversity, or the ability to assist with the integration of intermittent sources need more analytic attention." [Page 298]
>
> "The Panel concludes that a failure to pursue research over the last 30 years into B.C's geothermal resources has left BC Hydro without information about a resource that BC Hydro thinks may offer up to 700 megawatts of firm, economic power with low environmental costs." [Page 299]
>
> "The Panel concludes that the Proponent has not fully demonstrated the need for the Project on the timetable set forth." [Page 306]

11. As a result, Participants in the Joint Review Panel Public Hearing did not have an opportunity to review key information, analysis, reports, studies, forecasts, and research necessary to a full, proper and transparent assessment of the Economic Effects of the Project.

12. The Panel made several recommendations to address the lack of a full, proper and transparent assessment of the Economic Effects of the Project:

RECOMMENDATION 46

"If it is decided that the Project should proceed, a first step should be the referral of the Project costs and hence unit energy costs and revenue requirements to the BC Utilities Commission for detailed examination."

RECOMMENDATION 47

"The Panel recommends that BC Hydro construct a reasonable long-term pricing scenario for electricity and its substitutes and update the associated load forecast, including Liquified Natural Gas demand, and that this be exposed for public and Commission comment in a BC Utilities Commission hearing, before construction begins."

RECOMMENDATION 48

"The Panel recommends, regardless of the decision taken on Site C, that BC Hydro establish and research and development budget for the resource and engineering characterization of geographically diverse renewable resources, conservation techniques, the optimal integration of intermittent and firm sources, and climate-induced changes to hydrology, and that an appropriate allowance in its revenue requirements be approved by the BC Utilities Commission."

RECOMMENDATION 49

"The Panel recommends that, if Ministers are inclined to proceed, they may wish to consider referring the load forcast and demand side management plan details to the BC Utilities Commission."

13. Since the Joint Review Panel Report was released on May 1, 2014, Participants including BC Hydro, the BC Ministry of Energy and Mines, other provincial government ministries and agencies, the District of Hudson's Hope, and Clean Energy BC have prepared, are preparing, or could prepare new information, analysis, reports, studies, forecasts, and research on the Economic Effects of the Project (the "New Material") in an effort to address the concerns and recommendations of the Joint Review Panel set out in paragraphs 10 and 12 above.

14. However, unlike previous information and analysis on the environmental, economic, social, health, and heritage effects of the Project, this New Material is largely confidential and has not been the subject of independent and expert assessment and a public hearing as the Panel Terms of Reference would have required.

15. On October 14, 2014, the Minister of Environment and the Minister of Forests, Lands and Natural Resource Operations issued an environmental assessment certificate to BC Hydro allowing the Project to proceed, subject to remaining authorizations including that of Executive Council, without addressing how to ensure a full, proper and transparent assessment of the Economic Effects of the project, and without addressing Panel recommendations #46 to #49.

16. Before Executive Council makes a final decision on whether or not to proceed with this $7.9 billion Project, Executive Council wishes to ensure that New Material is the subject of an independent and expert assessment and a public hearing, and by doing so seeks to ensure that there is a full, proper and transparent assessment of the Economic Effects of the Project, including the matters referenced in Panel recommendations #46 to #49.

17. Section 5 of the *Act* provides that the Lieutenant Governor in Council may ask the BC Utilities Commission (the "Commission") for advice on any matter, and further that the Lieutenant Governor in Council may specify terms of reference requiring and empowering the Commission to inquire into the matter.

REQUEST FOR ADVICE ON THE PROJECT AND TERMS OF REFERENCE

NOW THEREFORE the Lieutenant Governor in Council requests the advice of the Commission on the Economic Effects of the Project pursuant to subsection 5(1) of the *Act* and specifies the following Terms of Reference for the Commission's inquiry into the Project pursuant to subsection 5(2) of the *Act:*

1. The purpose of this inquiry is for the Commission to make an assessment of the Economic Effects of the Project, including the matters referenced in Panel recommendations #46 to #49.

2. The Commission must hold a public hearing in accordance with standard Commission policy and practice on the Economic Effects of the Project, including the matters referenced in Panel recommendations #46 to #49.

3. For the purpose of conducting this inquiry and public hearing, the Commission:

    (a) must invite and consider submissions, evidence and presentations on the Economic Effects of the Project including the New Materias from any interested person, including without limitation, aboriginal groups, the public, governments, the Proponent, other utilities, power producers, ratepayer groups and other interested groups;
    (b) must hold the public hearing in accordance with the Commission's Public Hearing Guidelines, except that the Commission will make recommendations to the Lieutenant Governor in Council rather than making determinations; and
    (c) may use all of the powers provided to it under the *Act*.

4. The Commission must prepare a report and recommendations on its assessment of the Economic Effects of the Project, including the results of the public hearing and any implications of its assessment for the Project, BC Hydro ratepayers and BC taxpayers. The report must be provided to the Minister of Energy and Mines by November 30, 2015.

5. The Minister of Energy and Mines must publish the report within 10 days of receipt.

November 18, 2014

---------- Forwarded message ----------
From: **Jacqueline Young** <millenniumexchange@gmail.com>
Date: Wed, Nov 5, 2014 at 8:56 PM
Subject: Proposed Wastes to Energy Solution
To: mayorsoffice@whistler.ca

Mayor and Council

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B4

Your Hon. Mayor & Members of the Council,

Proposed Wastes to Energy Solution

We read from Tri-City News dated October 24th, 2014 : Province rejects metro garbage export ban"
- http://www.abbynews.com/news/278836191.html

about the following issues :

1) that our garbage are being trucked out of British Columbia to United States landfills by haulers in order to save cost of trucking them to Metro Vancouver which charges a higher fee, (CND $ 106 per tonne !). About 100,000 tonnes of garbbage are estimated to be trucked to United States per year.

2) Metro Vancouver plans to build an incinerator estimated to cost CDN 517 million, a waste to energy plant, to burn our wastes, instead of trucking them to Cache Creek landfills.

The incinerator will still produce carbon dioxide emiisions (Co2) and that has extreme negative effect to the climate change.

This project will cost tax payers CND $ 517 million !

3) I had a meeting with the Mayor of Cache Creek on Oct. 29th and I learned that the Municipal of Whistler had proposed to truck your municipal solid wastes to Cache Creek but the proposal was rejected by Metro Vancouver.

We would like to inform you that with our technologies, there will no longer be any need for any landfills.

All municipal solid wastes (MSW) can be trucked to a depot that measures not more than 1-2 basket ball courts, for the wastes to be processed into clean energy, to be sold to BC Hydro.

We have technologies that can process any wastes to energy without any Co2 emissions, and at minimal cost to the tax payers or the British Columbia government. We shall bring our own investment to set up these projects to process the British Columbia wastes, the results are zero wastes, renewable energy to be sold to BC Hydro, the revenue from energy sales will pay for the return to our investment.

A) Metro Vancouver Wastes

We have met with and proposed to Metro Vancouver Solid Wastes Dept General Manager, Mr. Paul Henderson, about our solution to save Metro Vancouver wastes from going to landfills, with our own investment, but it fell on deaf ears.

Mr. Paul Henderson claimed that Metro Vancouver's wastes have all being privatized to private companies, and are all well managed.

However, Mr. Henderson did not mention anything about the $ 517 million incinerator.

We like to emphasize that we use plasma gastification process, there is no burning of any wastes, thus no Co2 emission or odour.

B) Cache Creek landfills

We recently proposed to Cache Creek Municipal Council the same solutioins, not only fresh deliveries of municipal solid wastes (MSW) can be processed without incineration, the 9 million tonnes of wastes already buried can be excavated to generate precious energy. We use our technology of plasma gastification, to process any wastes into zero wastes, and the by-products are renewable energy (electricity, clean gas) and clean water !

Cache Creek Municipal Council (CCMC) is more receptive, and after a number of correspondence and phone calls, we were invited to meet with its Mayor on October 29th to discuss about our proposed solutions and investment.

However, we were told by Hon. Mayor Ranta that their hands are tied till Dec. 2016 when the landfill contract with Wastech expires.

Per the Ministry of Environment's Information Bulletin dated Jan 6, 2010, the Ministry has granted the environmental assessment certificate for the proposed Cache Creek Landfill Extension Project, which is costing $ 100 million and involves 42 hectare extension of the existing Cache Creek Landfill, which has operated since 1989, providing an additional 12.6 million tonnes of disposal capacity. This project is expected to have a lifespan of 17-25 years !

We have the technologies, and offering the investment to provide these solutions to save all these costs, and destruction of our environment !

C) BC Hydro

We have had a couple of meetings with the General Manager of BC Hydro's economic & resources dept., as well as its Chief Technical Officer, Mr. Alex Tu who are all very impressed and supportive to our technology, and proposed solutions. They have referred to us to Cache Creek Municipal Council to propose our solutions to their multiple problems from their landfills.

We are writing to you to propose the same.

We attach herewith information about our technologies, and we would like to request to have a meeting with the Honourable Mayor and Council Members to discuss our proposed solutions of Wastes to Energy.

We are able to eliminate the need for landfills all together, reduce tipping fees paid by haulers, and we can share the revenue generated from our proposed projects with the municipal councils so that they will not be short-changed for losing out on their tipping fees.

Our proposed projects will generate revenue out of sales from energy to BC Hydro, sales of clean gas , and sales of clean water.

Our technology partner is EAWC Technologies, Head Quartered in Switzerland, with offices in Miami, Florida, Mexico City and Cancun. (www.eawctechnologies.com)

They are currently setting up multiple wastes to energy projects in 5 provinces in Mexico, and is still growing. The biggest being a 200 MW wastes to energy project which is a joint-venture with the Mexico City Municipal Council.

I attach a number of EAWC Technologies brochures for your reference.

I look forward to hearing from you.

Waste2energy.pdf

EAWC - Brochure - Plasma Arc Flow.pdf

Appendix 7 - EAWC Waste Management Brochure -highlighted.pdf

Yours sincerely,

Jacqueline Young, C.G.A.

Director
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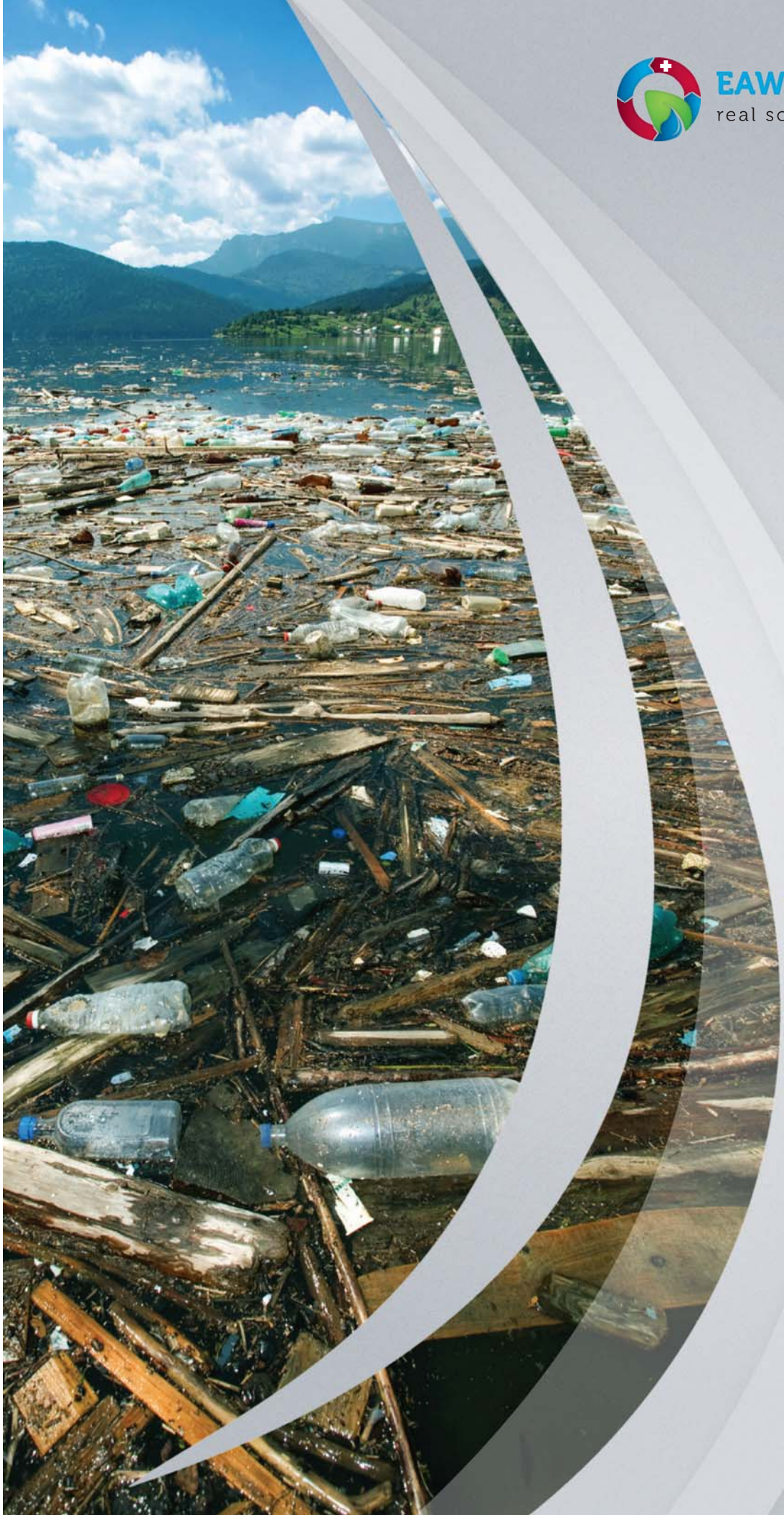
EAWC Technologies
real solutions for real needs



Waste to Energy (WtE)

Because it's not just a new development, is about sustainable development

Waste... The current Situation

Using macroeconomic data from 30 Organisation for Economic Cooperation and Development (OECD) countries, it has been estimated that a 1% increase in national income creates a 0.69% increase in municipal solid waste amount.

Amounts of waste are largely determined by two factors: first, the population in any given area, and second, its consumption patterns – which are controlled by the evolution of Gross Domestic Product per Capita (GDP/c).

According to the UN, between now and 2025, the world population will increase by 20% to reach 8 billion inhabitants (from 6.5 today).

Moreover, by 2050, the total population will be around 9.5 billion, unless specific control measures are broadly adopted. If this becomes a reality then a population of 8-8.5 billion in 2050 may be considered a successful stabilization of numbers.

Besides overpopulation, a remarkable increase in GDP/c especially in developing countries is on its way. In 2025, world production will have doubled in relation to 2005. By 2050 the world production may again have doubled compared to 2025. The global average GDP/c around 2025 will be more or less one and a half times the current one, and in a business-as-usual scenario it may be fourfold around 2050. Jeffrey Sachs[1] has estimated that in developing countries the GDP/c will be around $40,000 in 2050, which is the same as the USA GDP/c in 2005! It also seems that we are living in a richer world where we will have higher actual numbers of poor people, but less in terms of percentages. Obviously, both the increase of the population and the remarkable growth of global GDP/c will drive an increase in waste volumes.

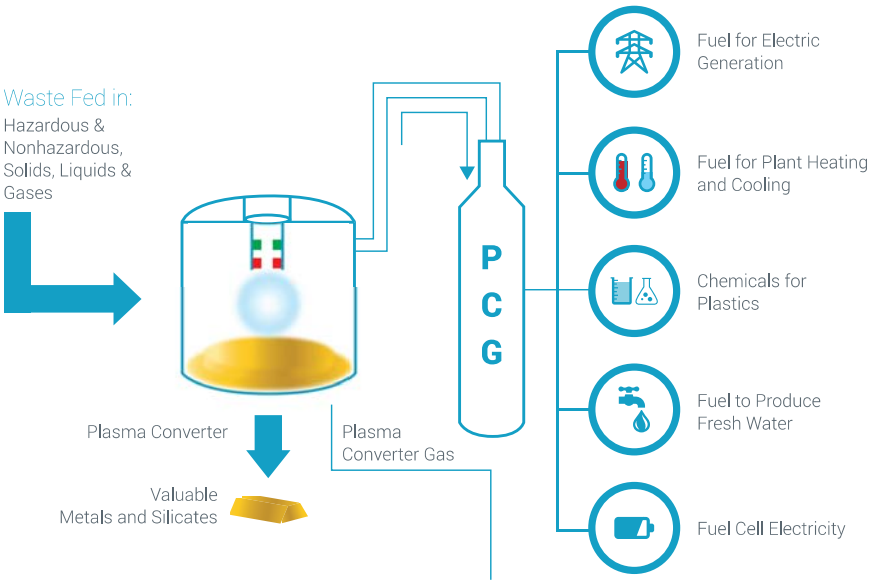
[1] Jeffrey David Sachs is an American economist and Director of The Earth Institute at Columbia University.

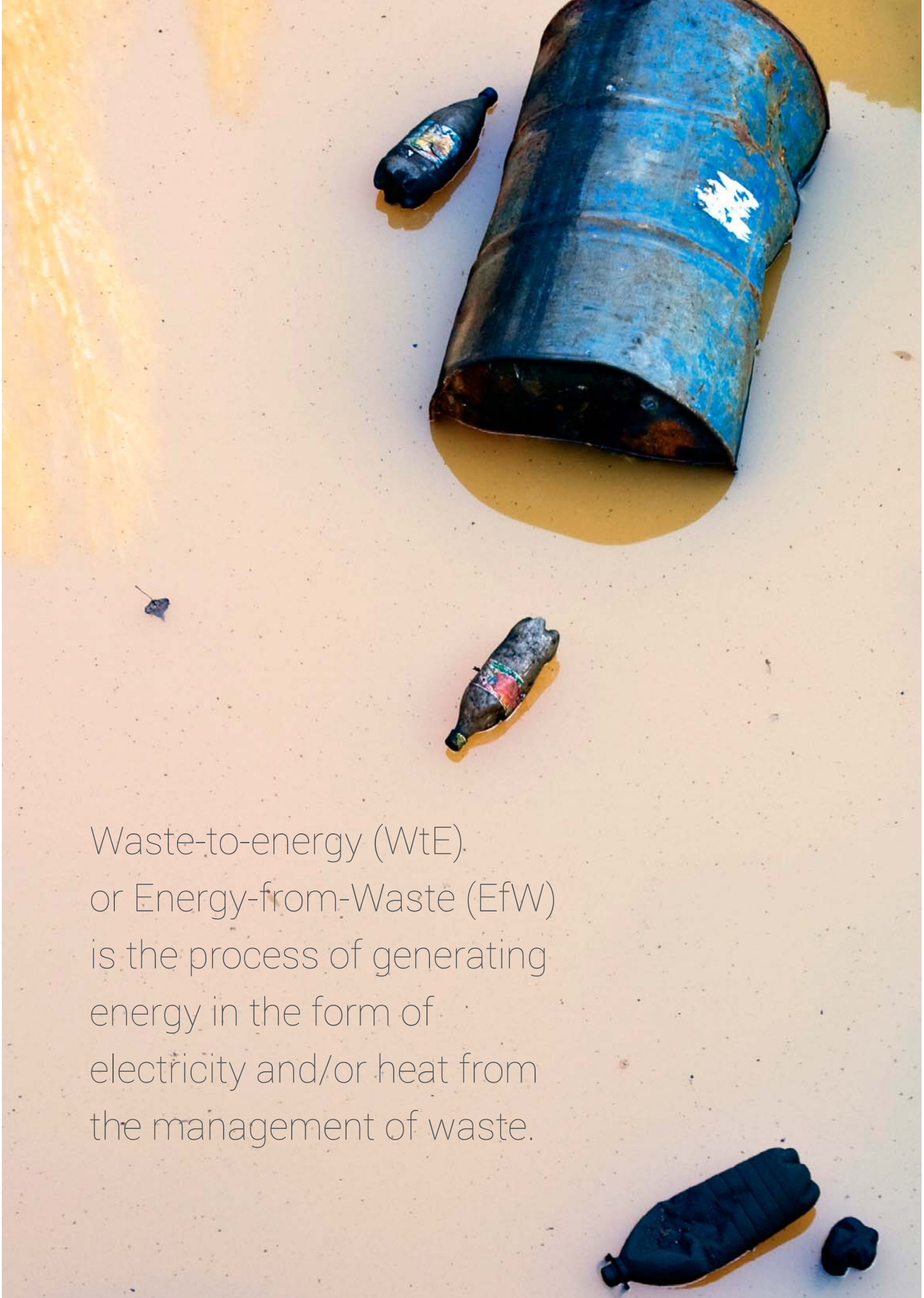
WASTE TO ENERGY (WTE) OR ENERGY-FROM-WASTE (EFW)

In the paste decade, wastes and in particular Municipal Solid Wastes (MSW), become more and more considered as a renewable resource that could pay a major role in the framework of renewable energy production. As a matter of fact, energy can be recovered from wastes by several means, essentially by combustion, pyrolysis or gasification, this last process being the more attractive as it not only allows a part of the chemical organic energy to be recovered but also the production of usable synthetic gases (syngas).

Waste-to-energy (WtE) or Energy-from-Waste (EfW) is the process of generating energy in the form of electricity and/or heat from the management of waste.

EAWC technologies are able to produce energy from waste and other fuels without direct combustion. These technologies have the potential to produce more electric power from the same amount of fuel than would be possible by direct combustion.





Waste-to-energy (WtE)
or Energy-from-Waste (EfW)
is the process of generating
energy in the form of
electricity and/or heat from
the management of waste.

EAWC/WtE

One of the key unique selling features and capabilities of the company is the combination of the different disciplines of water, energy and waste management.

EAWC Technologies offers a closed-loop elemental recycling systems that safely destroys wastes and produces commodity products. The EAWC WtE systems achieves this without producing harmful, noxious or dangerous by-products, effluents or emissions. The materials fed into the process are in actuality feed stocks, once regarded as wastes.

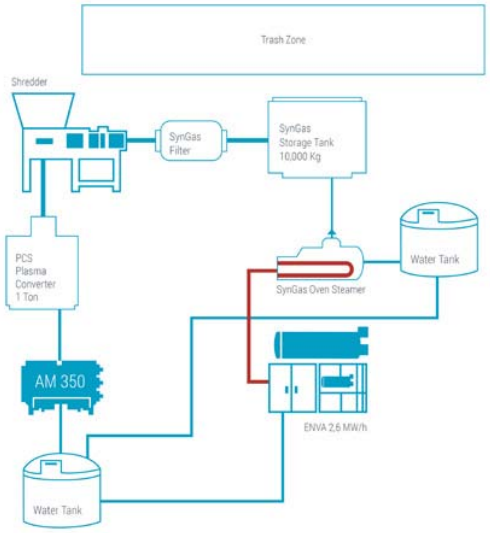
PLASMA ASSISTED GASIFICATION PROCESS

The EAWC/WtE Plasma assisted Gasification Process appears to be one of the more promising route for the waste-to-energy process. Plasma gasification processes allow as well successful treatment of various hazardous wastes.

The gasification process requires a quite high temperature, typically 1000-1500 °C [1-5]. The necessary heat can be directly obtained by a partial combustion of wastes (auto-thermal reaction), the rest being gasified, or by an external source of energy (allo-thermal reaction). it not only allows a part of the chemical organic energy to be recovered but also the production of usable synthetic gases (syngas).

Fundamentally the gasification consists in an incomplete oxidation of the organic parts of the waste, which is obtained in a sub-stochiometric flow of oxygen.

The produced «Synthetic Gas» can be used to power an internal combustion engine or turbine to run an electricity generator. The completely system is computer controlled, easy to use and operates at normal atmospheric pressure, very safely and quietly. We will improve budgetary performance for many types of businesses, including manufacturing, industries, commercial shippers, government agencies, all cities



and communities. The EAWC/WtE Plasma assisted Gasification Process eliminates the need to go through and into the community, and ultimately to landfills and incinerators.

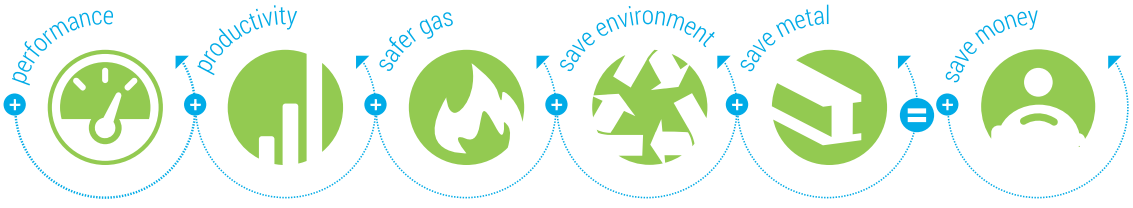
All wastes are safely and economically destroyed by the process, no matter how hazardous, toxic or lethal they may be. It is not enough to destroy hazardous waste; hazardous waste must be destroyed irreversibly. We produce machines that process "materials previously regarded as wastes".

For Example, 1000 tons-per day of waste is processed at a typical large municipality. The operation's daily output, could be hundreds of thousands Kilowatt hours, millions of gallons drinking water and millions of cubic feet of valuable hydrogen gas for sustainable power generation.

Refers to the new patented technology, consisting in flowing the liquid feedstock through a submerged electric arc, so as to prevent the recombination of H and O into water, increase fuel production and decrease CO_2 and other contaminants.

PLASMA ASSISTED STERILIZATION PROCESS

The Plasma Arc Flow™ is a patented technology based on flowing the target liquid waste through a submerged electric arc between two electrodes. The arc decomposes the liquid molecules into atoms and forms a plasma around the tips of the electrodes at about 10,000°F / 5,500 °C. The Plasma Arc Flow moves the plasma away from the electrodes and controls the formation of "MagneGas"[2] that rises to the surface for collection.



PLASMA ARC FLOW™
GASIFICATION

[2] Magnegas is a Public Traded Company. His Technology Founder, Former Chairman & Chief Scientist Dr. Santilli initiated the MagneGas technology in 1998 via the identification of the new chemical species of magnecules from which he suggested the name of "MagneGas" for the fuel produced.

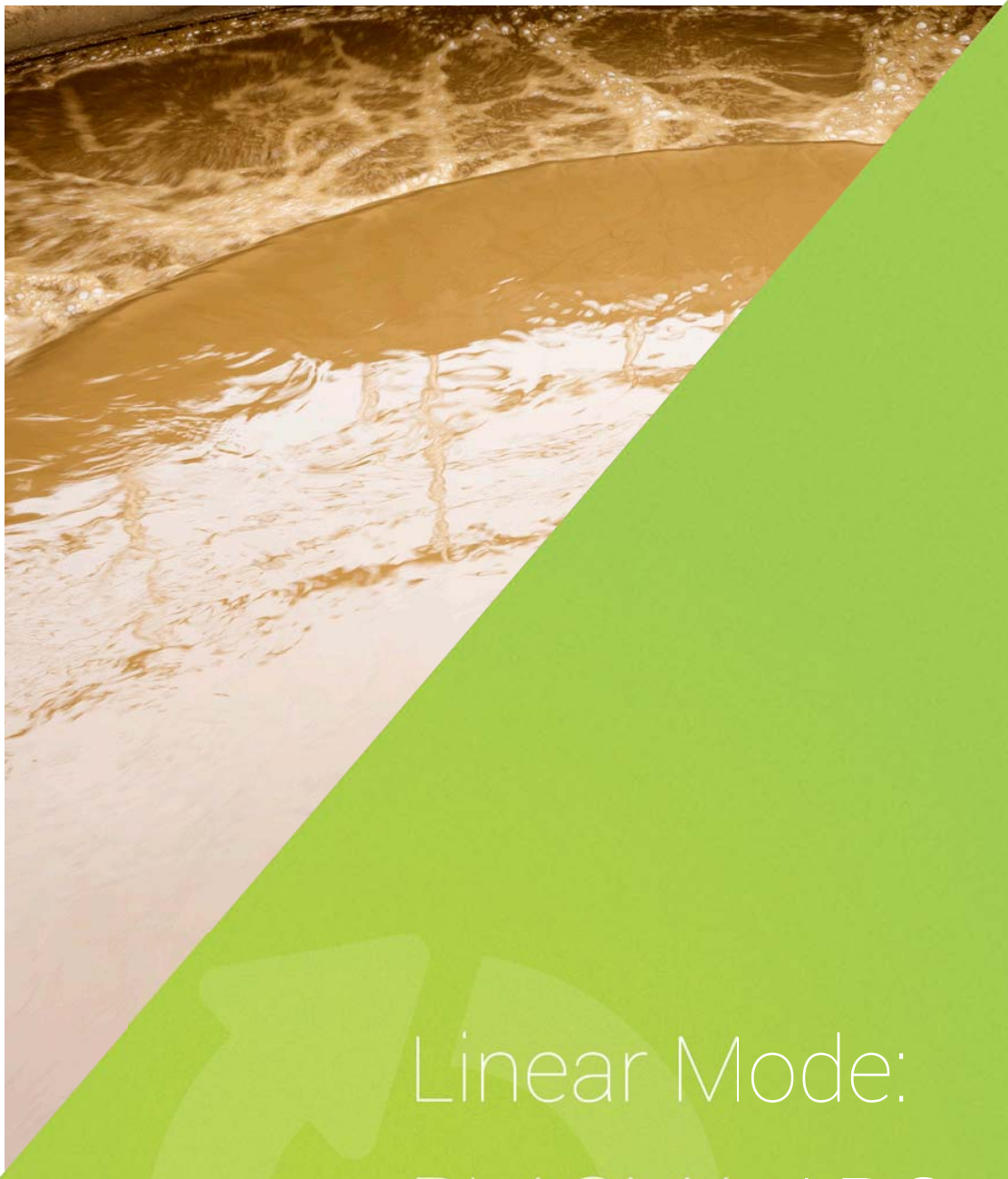
This certified technology intended solely to sterilize target liquid wastes such as sewage, agricultural wastes or any effluent where eliminating bacteriological activity is beneficial to convert the waste liquid into a fertilizer and irrigation water. This results in the production of MagneGas, carbon precipitates and the same quantity of sterilized liquid. In this mode the liquid is retained but completely sterilized.

The Plasma Arc Flow technology converts most liquid waste into a clean fuel called MagneGas.

“STERILIZATION MODE” is intended solely to sterilize target liquid wastes such as sewage, agricultural wastes or any effluent where eliminating bacteriological activity is beneficial to convert the waste liquid into a fertilizer and irrigation water. This results in the production of MagneGas, carbon precipitates and the same quantity of sterilized liquid. In this mode the liquid is retained but completely sterilized.

The Plasma Arc Flow technology converts most liquid waste into a clean fuel called MagneGas.

- INCREASE Productivity and Performance
- Provide your Workers with a much SAFER FUEL.
- Be recognized as a Green, ENVIRONMENTALLY FRIENDLY Player.
- SAVE Significant Metal Loss due to MUCH LESS KERFING
- SAVE Money



Linear Mode: PLASMA-ARC THROUGH™

Refers the use of PAF Recyclers via one single passage of the liquid feedstock through the arc and then its removal from the PAF module for downstream treatment. The mode is recommended for biocontaminated liquids with up to a maximum of 1% TSS, such as city or ship sewage.

The Linear Mode completely sterilizes the liquid feedstock, produces magnegas by decreasing BOD and other contaminants, and polarizes the remaining liquid so as to admit much more efficient and less expensive downstream treatments as per local needs.

The PAF module is first filled up with the biocontaminated liquid waste, and operated in the Total Mode until reaching about 250 degrees F (about 110 C); then, the Total Mode is kept and the Linear Mode is activated at the pre-determined flow; the incoming biowaste is passed through the heat exchangers prior to reaching the PAF module for pre-heating while cooling down the exiting biowaste; the linear flow is set at the value needed to achieve full sterilization following chemical analyses. Biocontaminated solids (such as chicken manure) can be added to the liquid biowaste up to a total 10% TSS following the activation of a macerator. Final carbonized solids can be combusted to produce green electricity via the addition of magnegas fuel.

To recycle highly bio-contaminated liquid wastes, such as sludge, septage, farm biowaste, cheese whey, olive oil waste, and other biowaste with up to 10% TSS. The biowaste is passed through the 15,000 degrees F (10,000 degrees C) of the submerged arc to achieving full sterilization as well as carbonizing organic components and and polarize contaminants in solution for their efficient depuration. The treatment yields :

1. Completely sterilized and filtered, nutrient rich liquid (in volume about 95% the original biowaste);
2. Magnegas; and
3. Carbonized solid precipitates (in quantity equal to the original TSS).

PROCESS MAIN FUNCTIONS:

Sterilizaton of highly contaminated biowastes without chemical additives; partial abatement of BDOD and pre-treatment of contaminants; production of MagnegasTM to use as fuel and production of heat.

TREATMENT

For the case of pig manure; Magnegas Biowaste Refinery can be used in three main modes for the purpose of producing:

Organic solid fertilizer, Magnegas fuel, and depurated irrigation water;

Organic solid fertilizer, Magnegas fuel and waters for municipal discharges;

Organic liquid fertilizers, Magnegas fuel and 1% solids for municipal discharges. For the case of municipal or industrial sludge or landfill leachates, Plasma-Arc-Through reactors achieve complete sterilization and partial treatment of contaminants conventional equipments can be used for the treatment of downstream effluents, according to the needs of the clients and local regulatory requirements.

PRODUCTION

The volume of bioliquids processed per hour depends on power, Total Suspended Solids (TSS) chemical contaminants and other factors. Magnegas production also varies depending on TSS as weil as organic content. The 300 kW Plasma-Arc-ThroughTM Recycling Plant depicted below can process pig manure with 1% TSS at the rate of about 30,000 gallons or about 135,000 Liters per eight hour working day while producing about 16,000 scf or about 500 m3 df Magnegas Fuel also per eight hours day.

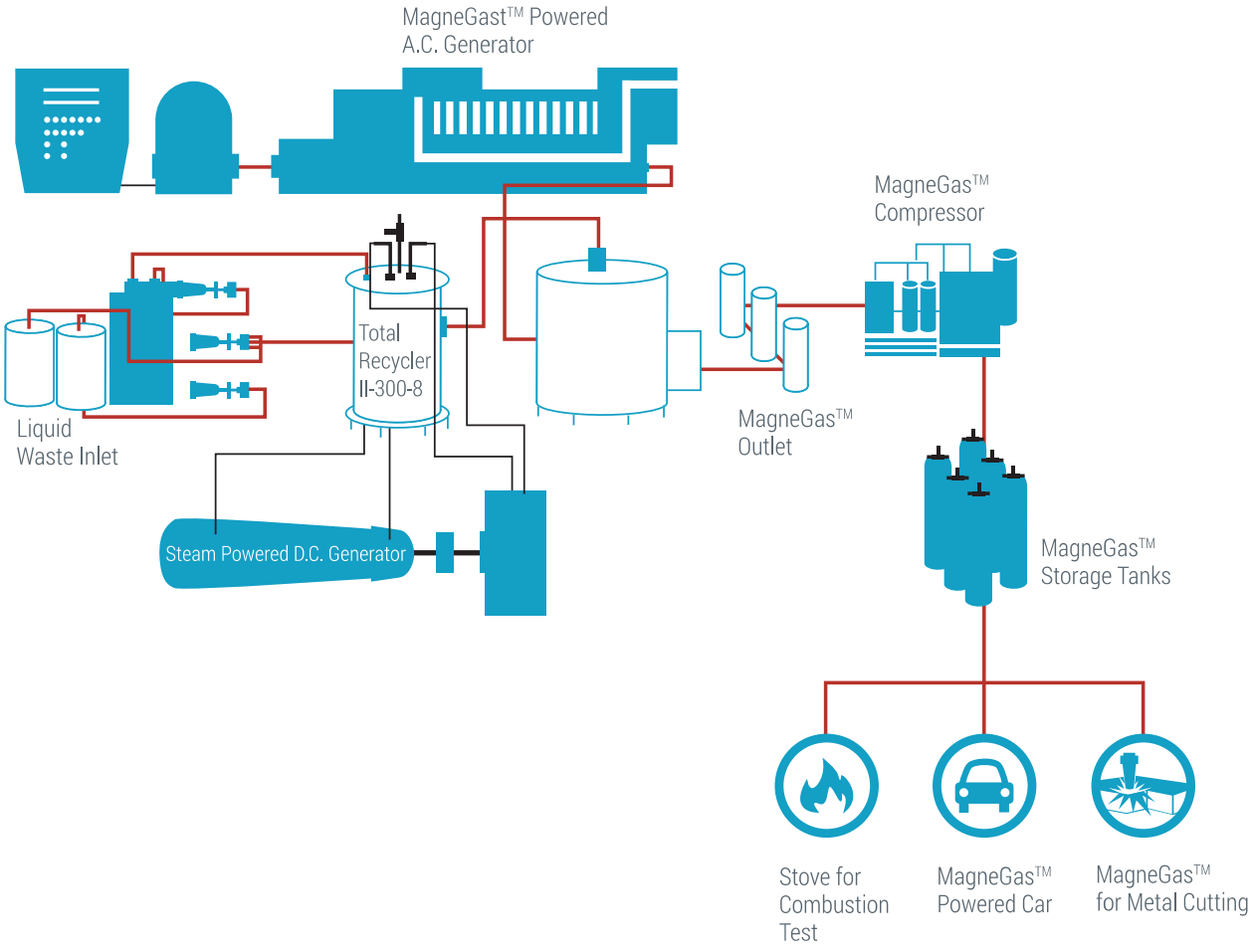
PERFORMANCE

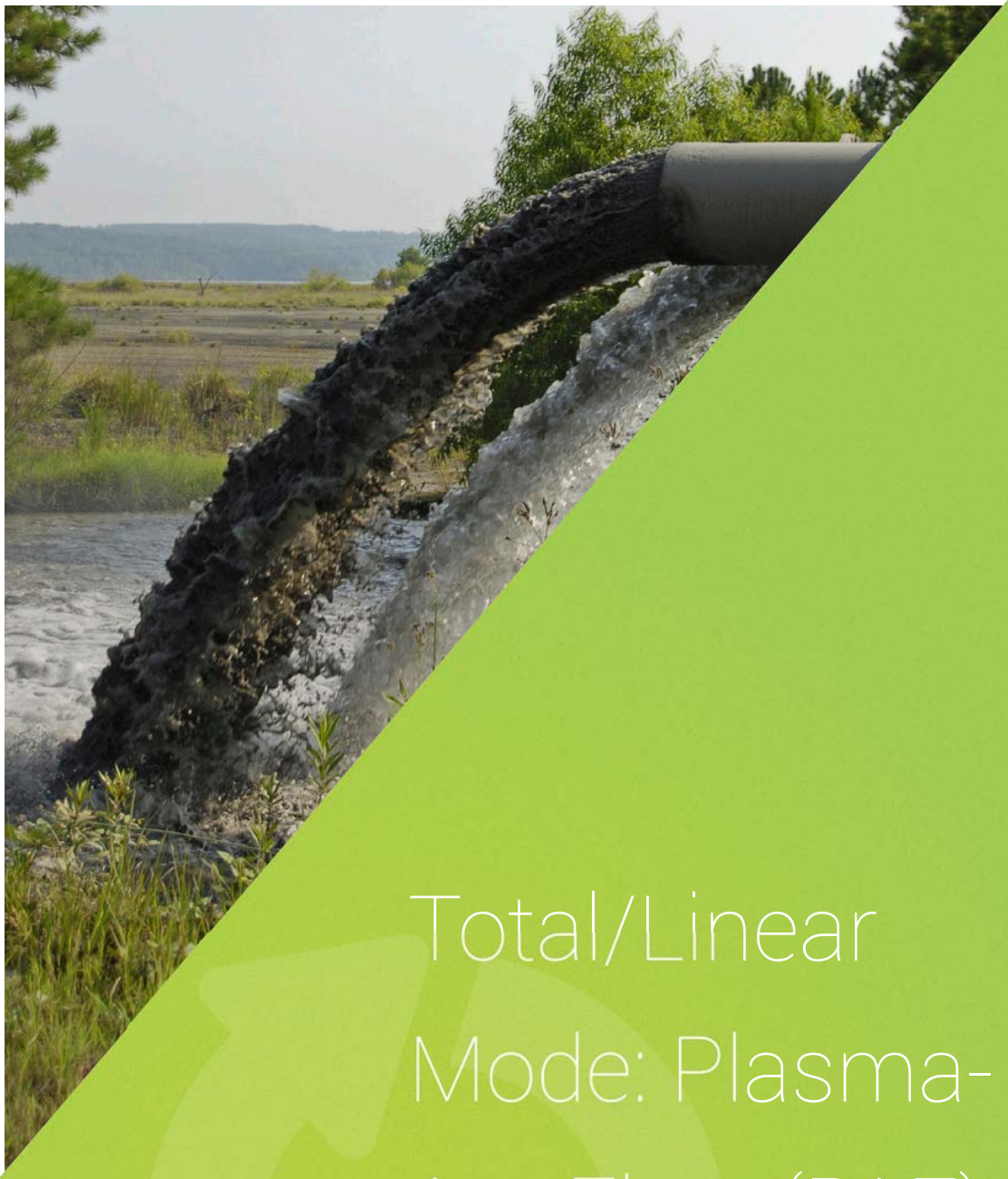
BIOWASTE RECYCLED: about 2,500 g/h or about 60,000 g/24h (about 10,000 L/h or about 250,000 L/24h) for biowastes with 1.5% to 2% TSS. A proportionately less volume is processed for biowastes with bigger TSS values or with particular contaminants;

NUTRIENT RICH LIQUID: about 95% th original volume;

MAGNEGAS PRODUCED: about 1,500 scf/h or about 35,000 scf/24h (about 50,000 L/24h or about 1M L/24h);

CARBONIZED SOLIDS: about the original value of the TSS HEAT PRODUCED; None usable (the produced heat is used to maintain the PAF over the boiling point).


MagneGast™ Powered
A.C. Generator
MagneGas™
Compressor
Total
Recycler
II-300-8
Liquid
Waste Inlet
MagneGas™
Outlet
Steam Powered D.C. Generator
MagneGas™
Storage Tanks
Stove for
Combustion
Test
MagneGas™
Powered Car
MagneGas™
for Metal Cutting



Total/Linear Mode: Plasma-Arc-Flow (PAF) Sewage Recyclers

Refer to the dual use of PAF Recyclers in the Total Mode (recirculation of liquid feedstock through the arc) generally fixed at 100 gpm in a 300 Kw recycler, and the use of the Linear Mode (single passage) at a controllable, generally lower flow, such as 30 gpm.

This dual mode allows the sterilization of highly contaminated liquid feedstock up to 10% TSS, such as city sludge, farm biowaste and other wastes by adapting the Linear Flow to the case at hand.

It should be kept in mind that the release of highly infectious substances in the environment is a violation of the law. Hence, the primary function of the Plasma Arc FlowTM Sewage Recyclers in Sterilization Mode, is the complete sterilization of sewage via its passage through a submerged electric arc, while jointly producing the clean burning Magnegas fuel.

The recyclers operate in the so-called Linear Mode referred to the single passage of the sewage through the entire equipment. As a consequence, there is no appreciable increase of sewage temperature, and Plasma Arc Flow Sewage Recyclers do not produce heat. Also, Plasma Arc Flow Sewage Recyclers do not produce electricity, but use electricity in a very efficient way to sterilize sewage and turn it into usable waters while producing a fuel. Self-sufficiency in the needed electricity can be achieved by the complementary EAWC Technologies while making the waste management package.

Once sewage is sterilized with the arc, there are several commercially available technologies for the removal of the carbonized solids in suspension and the depuration of the final effluent water as requested by local environmental authorities, by using a small floor area as compared to the several acres needed for a conventional sewage treatment plant, with distinct environmental, logistic and financial advantages.

Plasma Arc Flow Recyclers of various types and powers can recycle city, farm, ship, industrial, military and other sewage into: Sterilized and filtered final effluent waters consisting of about 97% of the original sewage volume, which waters are excellent for irrigation; MagneGas usable for all fuel purposes; and Carbonized precipitates corresponding to about 1% of the original sewage used for the production of

electrodes or other uses. The Plasma Arc Flow treatment releases no appreciable odor because it is completely enclosed and the arc terminates all bacteriological activities. The sole noise produced is that of AC-DC converters and pumps.

Conventional sewage treatment plants require a large and expensive pipe network and the pumping of all the sewage to a centralized area. By comparison, Plasma Arc Flow Sewage Recyclers can be placed locally where irrigation waters are needed, for instance, near a park. Similarly, the sewage of a new village can be processed locally with a Plasma Arc Flow Sewage Recycler resulting in the production of sterilized and filtered irrigation waters and the Magnegas Fuel, thus avoiding miles of underground pipes for connection to the central plant. Besides the availability of irrigation waters and a fuel, the financial advantages are evident from the elimination of the high cost of connecting a new village to a centralized treatment plant.

POTENTIAL CUSTOMERS

Municipalities for use either at the central plant to decrease the bacteriological count when over legal limits or locally where irrigation waters are needed; new villages to prevent the expensive hook-up to the central recycling plant while having irrigation waters and a clean burning fuel; civilian and military ships since the recyclers can process on board the ship waste waters, thus avoiding their dumping in open oceans with damage to marine life or expensive disposal methods; beach-front hotels so as to avoid the use of prime land for the partial treatment of local sewage, while having in generally remote areas precious irrigation waters and a clean burning fuel for cooking and other uses.

The disposal of human and animal sewage is one of the biggest environmental problems of modern societies. Insufficient treatment of sewage has lead to serious health hazards such as: ecoli outbreaks; damage to agricultural products; aquifer pollution; contamination of drinking water; costal degradation; and damage to marine life.

CHEMICAL ANALYSES

The typical chemical analysis conducted with a locally available sewage prior to delivery of the Plasma Arc Flow Recyclers. The top view shows the data of the raw sewage: CBOD 600 mg/l; TSS 68 mg/l; nitrates less than 0.25 mg/l (at the limit of detection by the used instrument); fecal coliforms TNTC (beyond measurement; and Total Phosphorus 1.07 mg/l.

The bottom analysis shows the same wastewater following treatment with the

100 Kw Pilot Plasma Arc Flow Sewage Recycler with data: CBOD 10.2 mg/l; TSS 5 mg/l; nitrates less than 0.85 mg/l

(at the limit of detection by the used instrument); fecal coliforms less than

100 colonies (non detectable); and Total Phosphorus 0.32 mg/l.

The above data were obtained with the use of two sand filters for the removal of carbonized biomasses in suspension and two charcoal activated filters for the treatment of contaminants in solution. The achievement of better purity in the final effluent waters can be achieved in a variety of way as desired with the use of bigger charcoal activated filters, electro coagulation and other means, all the way to drinking quality via the use of the reverse osmosis.

CERTIFICATIONS

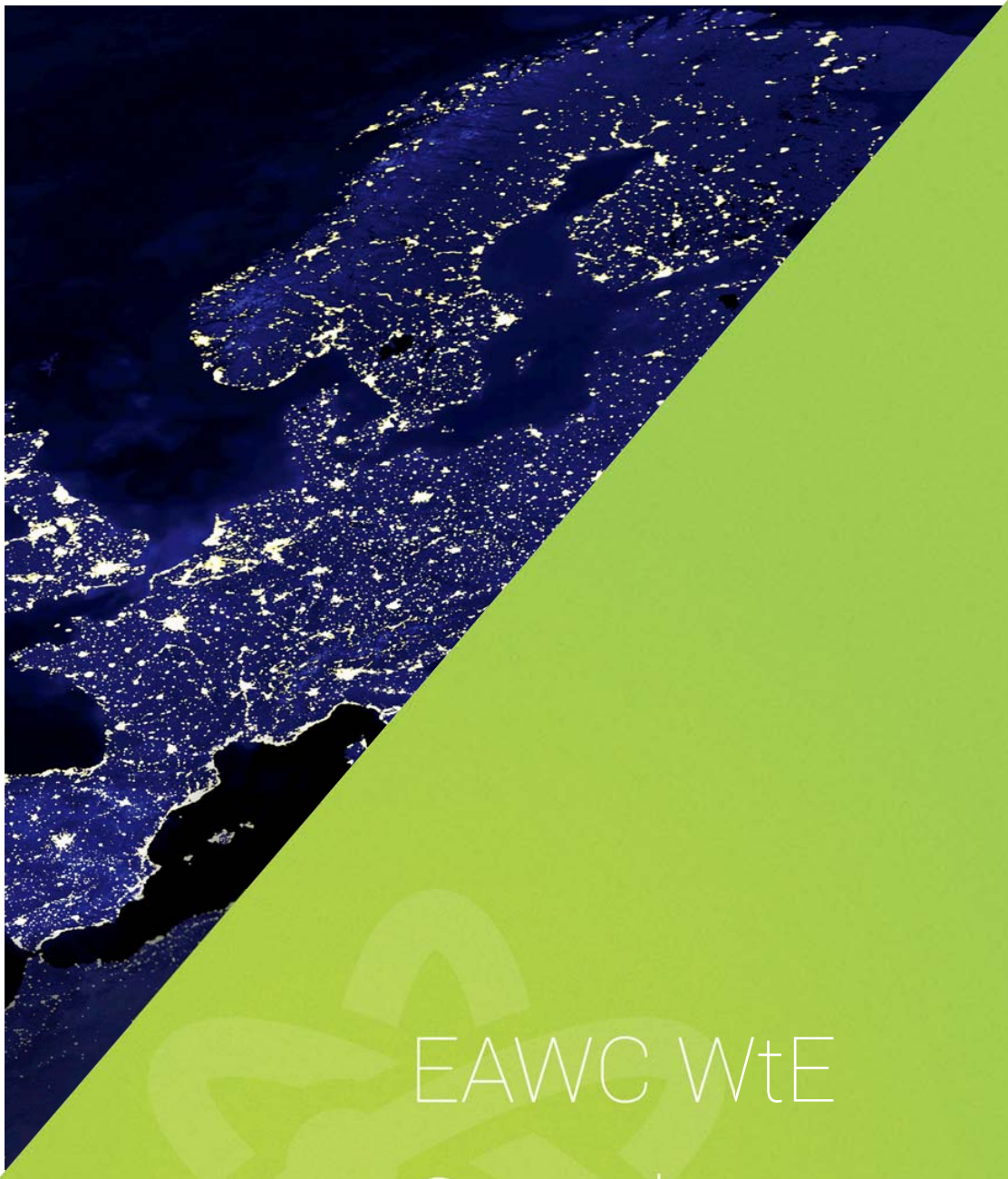
General Characteristics:

SEWAGE RECYCLED:
100,000 gallons (400,000 liters)per 24 hour day depending on appropriate downstream equipment;

MAGNEGAS PRODUCED:
10,000 scf/day (280,000 liters/day) corresponding to about 70 gasoline gallon equivalent (250 gasoline liters) per day;

IRRIGATION WATERS:
about 98,000 gallons (380,000 Liters) per day;

CARBONIZED SOLIDS:
about 100 pounds (50 Kg) per day.



EAWC WtE Complementary Technologies

WATER PURIFICATION SYSTEMS

This ingenious system functions without the support of any external energy source. It is composed of a battery bench or a photovoltaic field, a bi-directional, inverters system and finally a diesel generator which consumes gasoline economically. During the day, solar energy captured by the photo-voltaic panels, powers the purification installation and charges the batteries. When the sun disappears, the batteries continue to run the installation during the night. The batteries are designed for a 1 day period of autonomy. If the sky is over cast for more than 1 day, the system would eventually commute to the diesel generator.

AQUA MISSION

Aqua-Mission is a world-wide unique humidity extraction system based on long-tested mining air-conditioning technology. The basic idea was inspired by air-conditioning facilities used in coal mines; where large quantities of hot air had to be cooled down to improve working conditions. On the one hand, technology used for mining had to be compact, durable, of great mobility and very easy to handle.

The high quality of the extracted water was ascertained in several expert reports, its use is not limited to drinking water, and it can also be used for health care purposes or the cultivation of sensitive plants. In combination with the aqua-mission technology, the use of alternative energies offers great possibilities. Supplied with solar power or wind energy, the system operates with- out the need to rely on local energy systems.
Models: AM-100 & AM-25

ATMOSPHERE WATER GENERATOR (AWG)

With our AWG product, we are able to utilize a hitherto unused resource: drinking water produced from the air. It is important to remember in this context that the atmosphere contains 10 times more water than all rivers of the world together and that this water is distributed across all regions.

A single machine can generate up to 10,000 gallons of water per day. We use the process in reverse in order to produce drinking water. So here, water is the main product. The machines employed

suck in large volumes of air, cool it down to dew point and collect the resulting condensation water, which is then filtered and mineralized. Through this process, pure drinking water is obtained that meets the quality standards of the WHO.

CO_2 ENERGY: ENVA

Functional Principle of the Energy Module: Conversion of Low-Pressure Steam (0.6 – 5 bar) into Electric Energy (CO2-free) The generated electricity can be fed into the grid in a decentralized way via the medium-voltage and low-voltage network thus leading to high security of supply. The expander of the EM is so robust in its design that it could be theoreti cally also used to convert other waste heat fl ows as well as gas pressure into electric energy.
Models: EM55, EM75, EM100, EM150

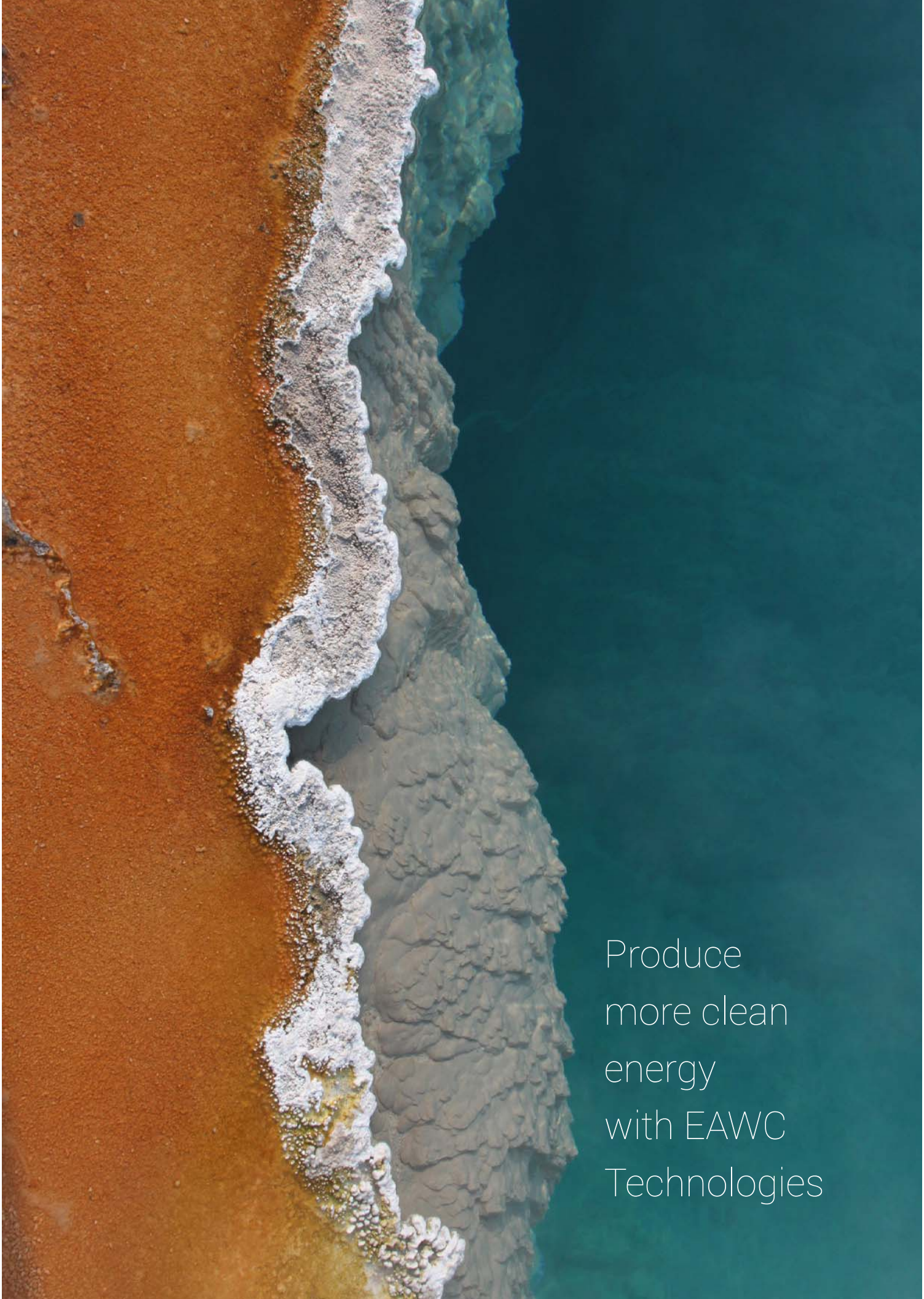
Today's economies are vulverable to energy commodity market volatility; price spikes reduce economic output and cause layoffs. The trasition to a sustainable energy system based on high efficiency and renewable sources, as well as smart grid and storage solutions, is what EAWC Technologies offers. Renewable technologies broke all growth reords in recents years.

In 2011, new invetments in revewables topped those in conventional energy technologies for the firt time in modern history. U.S wind power capacity almost tripled and solar energy jumped ninefold since 2007. And 17.1 percent of Germany's electricity comes from revnewable sources.

Reasons why EAWC Technologies firmly believe that this is a new realistic strategy that can solve the present needs of your project and it would be a great pleasure and honor to be part of. Your project could be the pioneer of the new perspective on energy integration, by integrating renewable energy and energy-efficient technologies, you are offering great opportunities to reduce emissions of greenhouse gases (GHG) and consequently protect the environment.

TIME LINE

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Introducing the EAWC Technologies	Approval EAWC proposal	Visit the site Work plan review	Receiving the equipment on site	Installation Process: Technical Overview & Training	Provided Project Assessment Report


Produce
more clean
energy
with EAWC
Technologies

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WASTE TO ENERGY: LIQUID WASTE

PLASMA ARC FLOW

EAWC Technologies

real solutions for real needs

THE PROCESS DEFINED

- Syngas Electric Arc Technology is a patented process

- Recycles liquid wastes

- Transforms energy trapped in pollutants into a versatile ultra-clean burning Bio-Gas

HOW DOES THE (PAF) RECYCLER WORK?

1. Polluted liquids enter the Plasma Arc Flow Chamber
2. An electric current passes through liquid heating it to 10,000° F or 5,500° C
3. The liquid breaks down to the atomic level separating into base elements
4. Some of these elements naturally form into Syngas and rises for collection
5. The byproducts are sterilized water and carbon

LIQUID WASTE RECYCLED*:

- Sewage
- Sludge
- Animal Manure
- Bio-diesel Byproducts
- Used Antifreeze
- Oil-based Liquids
- Industrial Liquids

*Certain liquid waste requires further testing

SYNGAS USES:

- Metal Working
- Cooking
- Heating
- Powering Generators
- Powering Transportation

CAN BE POWERED FROM MULTIPLE SOURCES*

Plasma Arc Flow™ Refinery units can operate independent of the grid

*Artist rendering, solar and wind concept under development

ADVANTAGES

Recycles a variety of pollutants*

2. Small footprint

3. Odorless and smokeless

4. Produces a Bio-Gas which is highly versatile and ultra clean burning

* Certain liquid wastes require further testing

PRODUCTS

STERILIZED WATER

- Sterilized water is a byproduct of processing water-based liquid waste such as sewage
- The Plasma Arc Flow™ process sterilizes bio-contaminants in the liquid, and other conventional downstream equipment is available to remove other contaminants Water

- **The Plasma Arc Flow™ system can be used as a mobile recycler, producing sterilized water from bio-contaminated liquids**

A VERSATILE FUEL

- **Transport Use**
  Interchangeable with LPG, convert existing engines
- **Industrial Vehicle Use**
  Ultra low emissions allow use indoors
- **Hydrogen Market**
  Syngas contains 50% or more of Hydrogen that can be separated

A VERSATILE FUEL

- **Metal-Working**
  Direct replacement for acetylene, safer & more productive
- **Heating**
  Syngas is interchangeable with natural gas
- **Cooking**
  Ultra low emissions means it can be used indoors

FOR TRANSPORTATION

EPA Test Results			
Element	**EAWC/PAF/ Syngas**	Gasoline	EPA Standards
Hydro-carbons (gm/mil)	**0.026**	0.234 9 X	0.41 16 X
Carbon Monoxide (gm/mil)	**0.262**	1.965 8 X	3.40 13 X
Nitrogen Oxides (gm/mil)	**0.281**	0.247	1.00 4 X
Carbon Dioxide (gm/mil)	**235**	458 2 X	No EPA standard
Oxygen	**9%-12%**	0.5%-0.7%	No EPA standard

Note: The data were obtained using a Honda Civic adapted to run on natural gas and used with EAWC/PAF/Syngas without any change in timing and stochiometric ratio. The data on gasoline were obtained via the use of an identical Honda Civic running on gasoline. All data were obtained using the complex EPA routine simulating various city and mountain driving conditions.

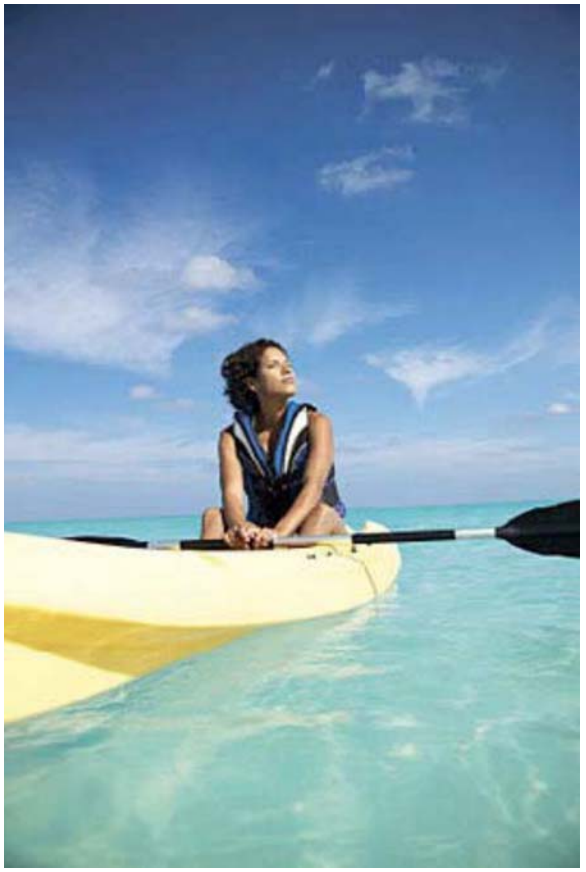
GLOBAL IMPACT

SUSTAINABLE DEVELOPMENT

- Renewable Energy Used for Transportation, Cooking, Heating
- Environmentally Sound Management of Liquid Waste
- Disaster Relief, providing Clean Water, Renewable Energy During Disasters Powered by the Sun or Wind

A CLEANER, BETTER PLANET

- Recycling of liquid waste will allow fewer bio-contaminants to be released into the eco-system
- Countries can produce their own clean burning natural gas alternative locally, reducing reliance on foreign oil and natural gas
- Sterilized water can be provided, reducing pathogens such as E-coli



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EAWC Waste Management

Waste Management Package EAWC is a Management Environmental Solution

EAWC Technologies
real solutions for real needs

884 million people lack access to safe water supplies, that's almost 3x the Unites States population. 3.575 million people die each year from water-related disease. Today, more than 1.5 billion people have no access to a stable and available supply of electricity.

Real Solutions for Real Needs

About EAWC Technologies

Water & Energy in its various forms are some of the biggest threats to human health, to progress, prosperity, and social stability. Patented technologies developed and promoted by companies under the umbrella of EAWC, a publicly listed company; produce sustainable relief to these threats, especially in regions of the world where access to drinking water and energy are difficult or even impossible.

Eurosport Active World Corp. (EAWC) is a water generation, water purification, and green energy production a publicly listed company. Its holdings & partners develop, manufacture, distribute, and help to operate water generation and purification sites. The Company's primary business includes acquiring and licensing the rights to sell and produce related technologies.

The Company also offers related services worldwide like maintenance, education & training, and optimization programs.

The Company's key product is the Atmosphere Water Generator (AWG) developed by Powermax LLC & Inc., a 100% EAWC holding. AWGs create water through condensation from the air.

The company's flagship AWG (AM350) produces up to 10,000 gallons of pristine drinking water per day per unit (for roughly $ 0.003 per gallon). This is enough to keep 2,000 people self-sufficient from other forms of water supply, or to enable commercial applications that were previously impossible in that place. As an option, the company offers a renewable energy module as an independent power supply.

Our Technologies

In today's world of sophisticated technologies, industry is faced with the ongoing challenge of satisfying demand for new products, more choices and greater volume. As demands increase, manufacturers are responsible for solving the economic and environmental challenges that accompany this growth.

For example, one of the realities of manufacturing is the inevitable accumulation of hazardous and non-hazardous waste. Even with the use of pollution prevention techniques, vast volumes of waste in every form are produced in the industrial world.

EAWC Technologies is the newest state of the art concept, to promote, develops, manufacture and commercialize environmental technologies.

EAWC is approved supplier to the United Nations.

EAWC engages in patented technologies such as: The Plasma Converter System, The Atmosphere Water Generators (AWGs), The Solar-powered Water Purification Systems (SWPS) and The CO2- Free energy production system (ENVA).

EAWC is convinced that there could be not sustainability with out R&D. Partnerships with leading universities and institutes are now in place to ensure the performance, efficiency and innovation of our solutions.

Waste Managemetn Package:

- The Hit Waste Management Technology (ENVA)
- Atmosphere Water Generators (AWG)
- Solar Power Water Technologies
- Plasma Systems

The Hit Waste Management Technology (ENVA)

Functional Principle of the Energy Module: Conversion of Low-Pressure Steam (0.6 – 5 bar) into Electric Energy (CO_2-free)

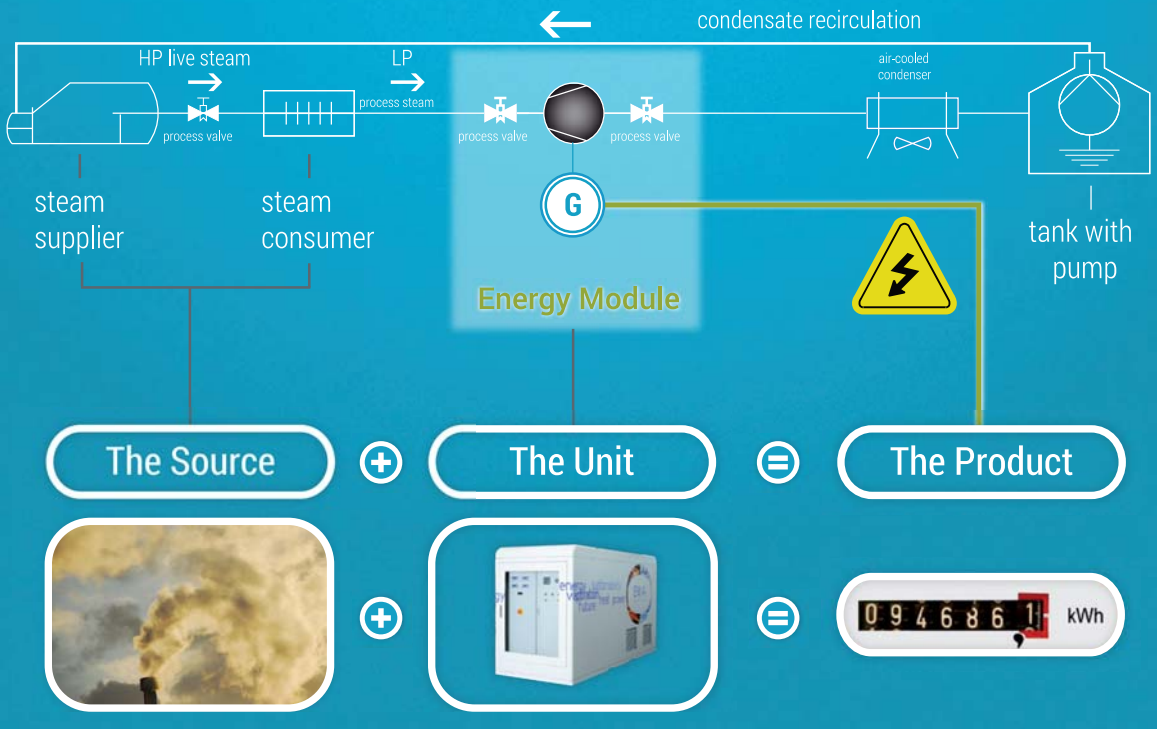
The patented technology of the EM is as simple as ingenious. During an innovative and applied research project, the development engineers of Enva Systems realized the usability of roots blowers as expanders.

The components of an EM are mainly standard components optimized and made ready for series production by our own engineers.

The generated electricity can be fed into the grid in a decentralized way via the medium-voltage and low-voltage network thus leading to high security of supply.

The expander of the EM is so robust in its design that it could be theoreti cally also used to convert other waste heat fl ows as well as gas pressure into electric energy.

Usage Scenario:



Aquamission Technology

Water quantity and energy consumption of AM-25

- Has its origin in the mining industry where large quantities of air had to be cooled
- Was tested and proved its reliability under extreme conditions
- Can generate pure drinking water form air at any place in the world with suitable climatic conditions (hight temperature and hight relative humidity)
- Totally independent from groundwater resources
- Makes use of a water resource which is not restricted
- No negative effects on the environment
- Low maintenance and easy operation
- Avoids transportations and storage of water to a great extent as water is produced at the point and time of use

Practical Example AM-25

For the AM-25 the aqua-mission-system is integrated into a small transportable unit. Ideal for humanitarian and military applications and disaster relief. All models are provided with generators.

Performance:* 50 liters/hour

Air Circulation: 7500 m3/hour

Energy: 18.5 KW

Size (LxWxH): 2m x 1.5m x 1.5m

Refrigerant: R-134 A / R-404 A

*(at 75% relative humidity and 23°C ambient temperature)

50%	*Water*	*Energy*	*Specific Energy/ Liter*
Temperature	l/h	kW	kWh/l
20°C	22,6	21,5	0,950
25°C	29,6	22,9	0,774
30°C	38,9	24,1	0,619
35°C	49,2	25,6	0,521
40°C	61,7	27,0	0,438
60%	*Water*	*Energy*	*Specific Energy/ Liter*
Temperature	l/h	kW	kWh/l
20°C	29,0	21,7	0,746
25°C	38,0	23,1	0,607
30°C	49,5	24,4	0,493
35°C	62,1	26,0	0,419
40°C	77,9	27,5	0,352
70%	*Water*	*Energy*	*Specific Energy/ Liter*
Temperature	l/h	kW	kWh/l
20°C	35,3	21,8	0,618
25°C	46,2	23,3	0,504
30°C	59,3	23,9	0,403
35°C	75,3	26,4	0,350
40°C	94,1	27,9	0,296
80%	*Water*	*Energy*	*Specific Energy/ Liter*
Temperature	l/h	kW	kWh/l
20°C	41,7	21,9	0,526
25°C	54,5	23,5	0,431
30°C	69,8	24,1	0,346
35°C	88,4	26,7	0,302
40°C	110,4	28,2	0,256
90%	*Water*	*Energy*	*Specific Energy/ Liter*
Temperature	l/h	kW	kWh/l
20°C	48,0	22,1	0,459
25°C	62,8	23,7	0,377
30°C	80,2	24,4	0,304
35°C	102,0	26,9	0,264
40°C	127,1	28,5	0,225

AHC-Container System Process Visualisation

The AquaMission technology allows water to be produced at any location in the world. It is independent of stationary water resources.

1. Water from the air production

The air is sucked by the ventilator, flows over a cooling battery where it cools down to dew point. The resulting condensation water is collected in a sump tank and can then be filtered and used as drinking water.

2. Cold storage room

The cooled down and dehumidified air is led into a cold storage room where heat is abstracted from goods to be cooled. The added air grows warm and due to overpressure within the chamber it is led to the blow-out openings.

3. Air-conditioning

The excess volumetric flow is conveyed by pipes and can be used for air-conditioning a room or a building. This air is mixed with the ambient air to a feeling well climate.

4. Water heating

The heat taken from the refrigerant is compressed and cooled down by a water-cooled counter current heat exchanger. The heat so carried away is transported by water and can be used for process water heating.

Atmosphere Water Generators (AWG)

A single machine can generate up to 10,000 gallons of water per day, thus providing the water supply for entire villages.

The basic technology used for AWG originally came from the mining sector and utilizes the humidity borne in the air to produce drinking water by means of condensation. While the systems used in mining were primarily designed for cooling the air, they simply produced condensation water as a by-product. We use the process in reverse in order to produce drinking water. So here, water is the main product.

The water production process:

- Utilization of the atmosphere as a water reservoir
- Production of water through the use of very high-efficiency refrigeration technology to condense the humidity in the air
- Multiple use of the water so produced through the utilization of water treatment technology – water recycling

Usage Scenario:

Further potential uses of the process:

- Utilization of the waste heat from the system to generate electricity
- Utilization of the cooled air for air-conditioning

The AWG technology allows water to be produced at any location in the world. It is independent of stationary water resources. The economic benefit is enhanced by the fact that cold air generated in the condensation process can be used for air-conditioning buildings.

Solar Power Water Technologies

10 m^3 to 200 m^3 per day of pure drinking water represent very significant volumes thus having a real impact on the personal lives of individuals and on the social environment of communities with long lasting positive implications.

This ingenious system functions without the support of any external energy source. It is composed of a battery bench or a photovoltaic field, a bi-directional, inverters system and finally a diesel generator which consumes gasoline economically.

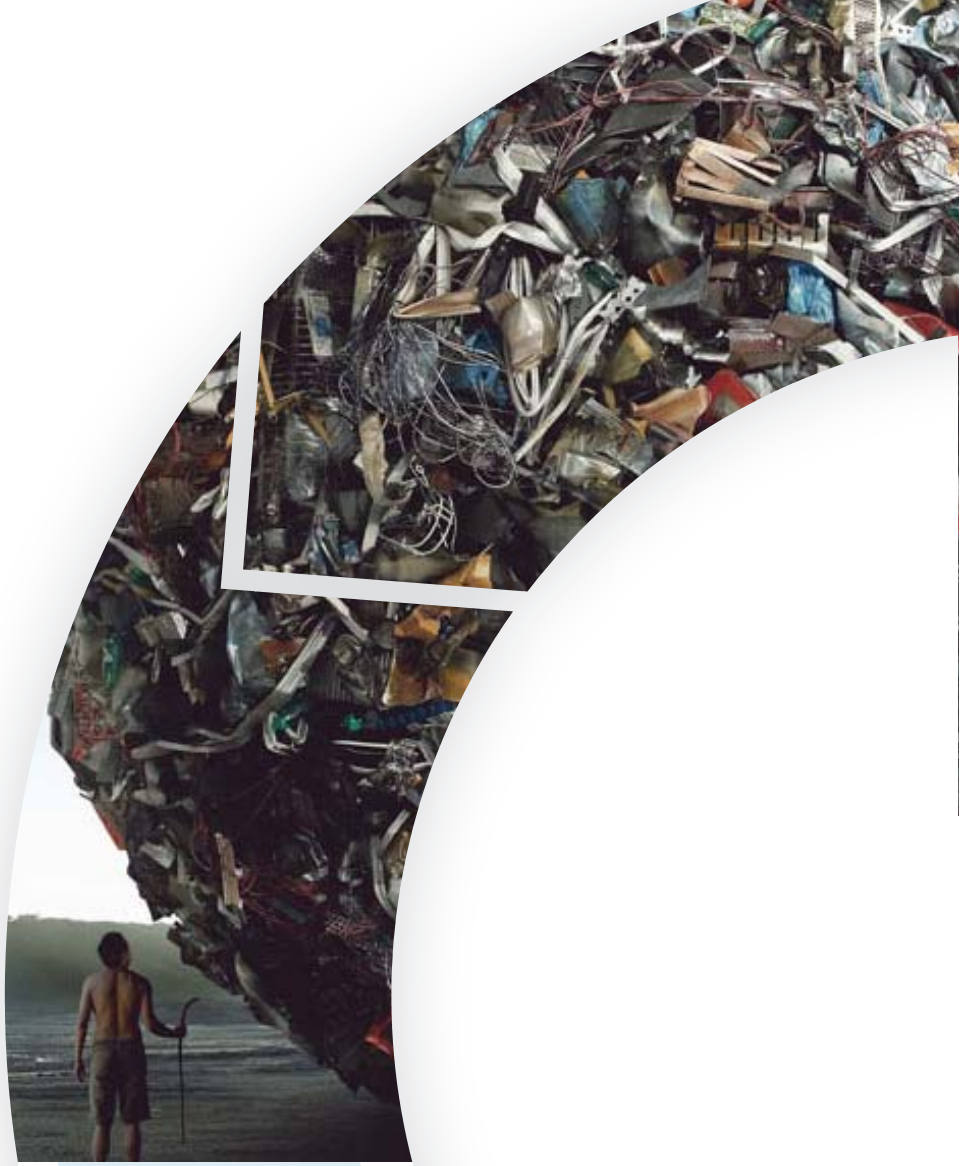
During the day, solar energy captured by the photo-voltaic panels, powers the purification installation and charges the batteries. When the sun disappears, the batteries continue to run the installation during the night. The batteries are designed for a 1 day period of autonomy. If the sky is over cast for more than 1 day, the system would eventually commute to the diesel generator.it could be theoreti cally also used to convert other waste heat fl ows as well as gas pressure into electric energy.

Features:

- 100% Solar powered units
- Fully transportable and easy to install
- Very low mainteance
- Low running costs
- Best quality materials
- Cost of water A 100 m^3 unit will produce 36.5 million liters of highly pure water per year at an approximate cost of CHF 0.005 per liter
- Optional renewables energies: A wind turbine as well as a hydraulic turbine can be added to the system in order to provide energy and decrease the part of solar field and batteries. This allows SGWater to operate in countries there sun irradiation are low
- Optional bottling unit: A stand-alone on-site bottling unit in 20ft or 40ft container (powered by a hybrid system) can be added allowing for an integrated approach whereby water can be sold in bottles or plastic pouches at extremely competitive
- prices compared to existing bottled water supply

20 REASONS WHY PCS IS THE BEST TECHNOLOGY CHOICE

1. The price of the PCS and its operating costs are significantly less expensive than many of the present costs being experienced by industry.
2. Hazardous and nonhazardous wastes (solids, liquids, sludges and gases) can be safely and economically processed without producing harmful, illegal or noxious emission, effluents or residues.
3. The volumetric waste reduction for most solid wastes is approximately 300 to 1.
4. The PCS's environmental performance is safer than the United States EPA standards and regulations.
5. The PCS can do on-site remediation of toxic "hot spots" (contaminated properties) and landfills, and return those properties to the market for sale in a safe and habitable condition. Landfills contain resources that can be safely processed and recovered as commodity products by the PCS.
6. The PCS will improve public health and safety, and will not produce the harm that arises from incinerators and landfills.
7. For many wastes, the PCS produces commodity products for sale or use, such as metals, specialty inorganics and a clean synthesis gas (Plasma Converted Gas).
8. The PCS reduces the cost and risk to the corporation, agency and organizational entity from the "perpetual liability" that accompanies hazardous waste generation, treatment, storage, disposal and transportation.
9. The PCS can be produced in various configurations that allow them to be used aboard ships for marine applications, in a truck for mobile applications and in stationary configurations ranging in capacity measured from hundreds of pounds per hour to hundreds of tons per day.
10. The PCS can be operated intermittently a few hours a day as needed, or around the clock, without many of the difficulties and costs that arise in other technologies when operated in the same manner.
11. When processing high-energy content waste such as plastics, solvents, and tires, a unit of material that requires one kilowatt of power to process will produce enough PCG and recoverable heat to produce up to 2.5 kilowatts of electrical power.
12. Unlike other technologies, no catalysts are required by the PCS.
13. The PCS can process low-level radioactive waste. Although the system does not reduce radioactivity, it can reduce its volume by factors of hundreds to one.
14. The PCS can achieve "total and irreversible destruction" of hazardous and toxic compounds and wastes, lethal viruses, bacteria and prions.
15. Resource Conservation Recovery Act recycling exemptions may be available where the resultant products produced are being used in an industrial process or to make a product.
16. The employment of the PCS will allow the user to conform to Zero Discharge criteria, serving to enhance the good environmental community relations of the user.
17. Because the PCS is electrically driven, unlike incinerators, its operation can be stopped immediately by shutting off the electricity, and it is therefore controllable and "inherently safe."
18. The PCS is computer controlled, easy to use and operates at normal atmospheric pressure, very safely and quietly.
19. The PCS can process solids, liquids and gases all at the same time.
20. The PCS directly couples to co-generation and power systems.



Waste Management Process

What is plasma?

The PCS is simply a gas that the Converter ionizes so it becomes an effective electrical conductor and produces a lightning-like arc of electricity that is the source of the intense energy transferred to the waste material as radiant energy. The arc in the plasma plume within the vessel can be as high as 30,000°F or 16.650°C.

The PCS is an electrochemical system powered by electricity that causes the dissociation (breaking apart) of the molecular bonds of solid, liquid and gaseous compounds or materials of both hazardous and nonhazardous wastes (feedstock) organic and inorganic.

Within the PCS, the molecules of the waste material are separated into their elemental components (atoms), and then reformed into recoverable nonhazardous commodity products ready for commercial use.

The PCS process is not a burning process, and it should not be confused with an incinerator. The produced “Synthetic Gas” can be used to power an internal combustion engine or a

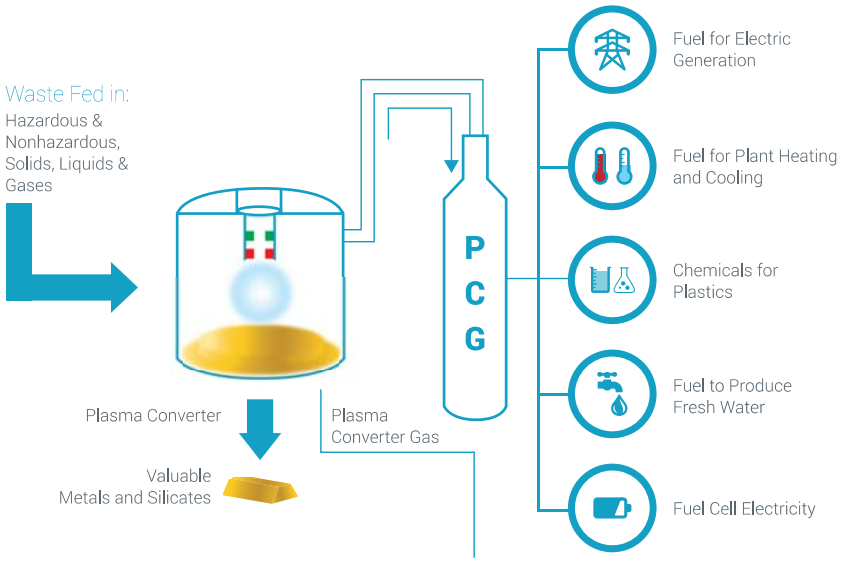


Figure 1: Materials previously regarded as waste are recycled and processed as feedstocks to make commodities

turbine to run an electricity generator. The Plasma Converter is computer controlled, easy to use and operates at normal atmospheric pressure, very safely and quietly.

Significant valuable resources are created from the use of the Plasma Converter. For example, 1000 tons-per-day of waste is processed at a typical large municipality. The operation's daily output, could be hundreds of thousands Kilowatt hours, millions of gallons drinking water and millions of cubic feet of valuable hydrogen gas for sustainable power generation.

In that typical 1000 tons-per-day operation, a $200 million Plasma Converter could pay for itself in well under 7 years. Here's how: Landfill usage "Tipping Fees" run from an average $35 to over $100 per ton in high population areas. These costs, along with hauling fees, could be reduced by up to $75 per-ton / per-day by Plasma-Converting the waste and selling the electric, water, gas, and solid by-products, instead of paying the costs of a landfill.

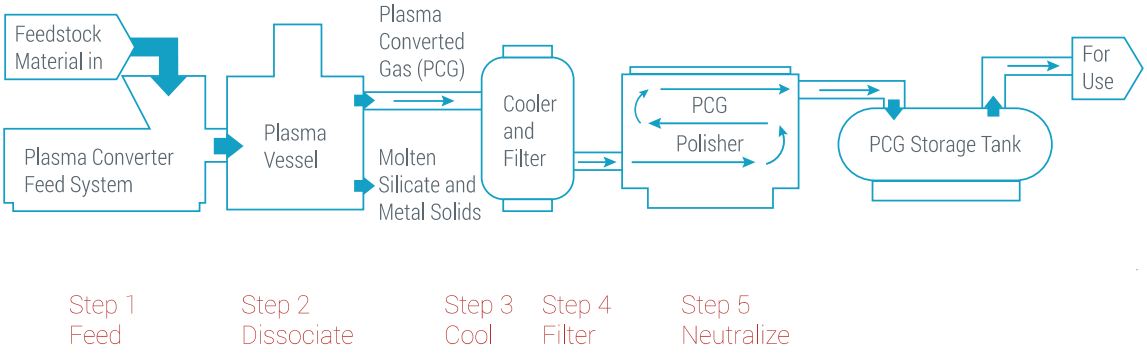


Figure 2: Five-step process

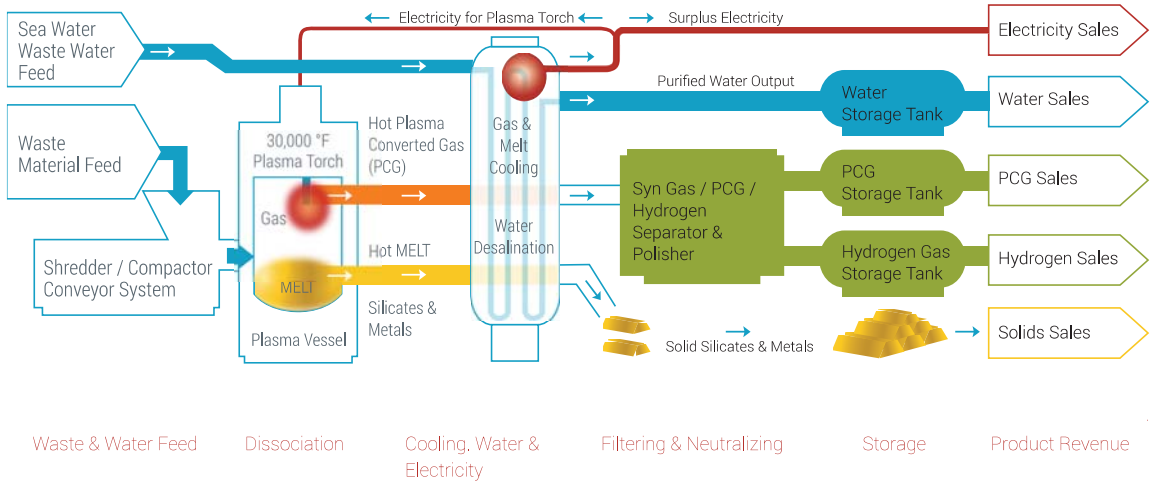


Figure 3: The Plasma Solution: Municipal Waste Management / Desalination / Clean Power & Gas Generation / Solids

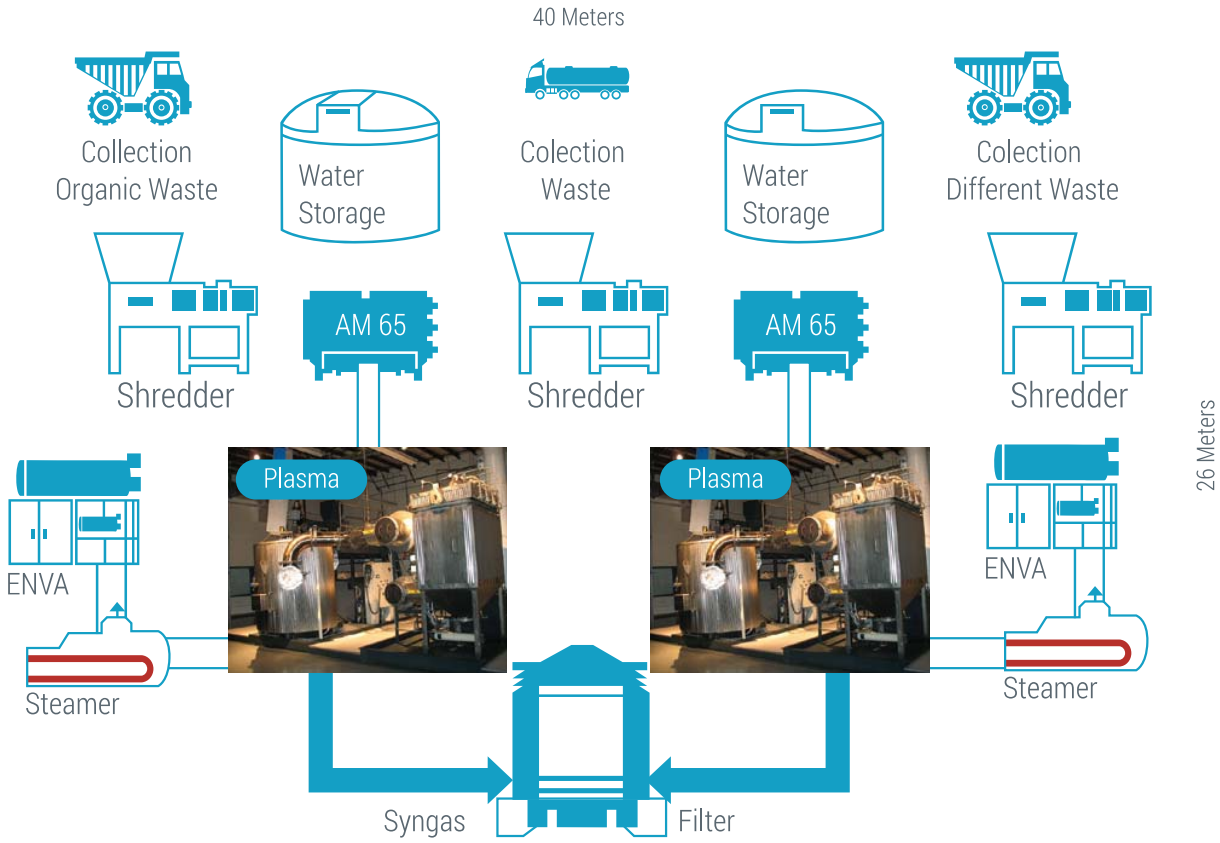
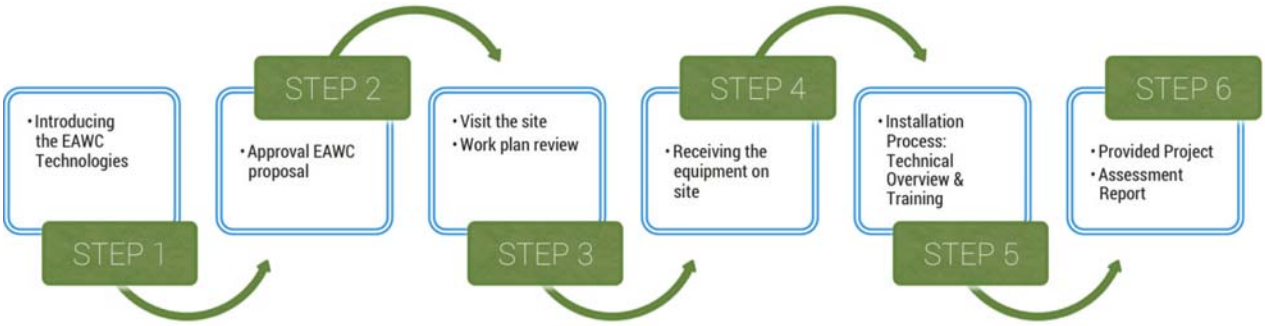


Figure 4: EAWC Waste Management Process

Time Line



Our Technology Aproach

One of the key unique selling features and capabilities of the company is the combination of the different disciplines of water, energy and waste management.

Producing positive cash flows & Profits

The Plasma Converter will improve budgetary performance for many types of businesses, including manufacturing, industries, commercial shippers, government agencies , all cities and communities. Markets example
The U.S. hazardous waste at 255 million tons per year if averaged at $0.50 per pound would equate to $255 billion per year.

Full-Circle Processing

EAWC Techonlogies desires to acquire a closed-loop elemental recycling system that safely destroys wastes and produces commodity products. The system achieves this without producing harmful, noxious or dangerous by-products, effluents or emissions.
The materials fed into the PCS are in actuality feed stocks, once regarded as wastes. The system makes it possible for the waste generator to eliminate the discharge or shipment of hazardous wastes out of their facility.

The PCS eliminates the need to go through and into the community, and ultimately to landfills and incinerators. The waste generator will have the ability to remediate the hazardous waste on site, and not pass it into someone else's hands. Additionally, the waste generator will also realize a significant cost saving/profit.

Conclusion

We welcome this opportunity to demonstrate the great value of our green technologies.
EAWC Technologies firmly believe that this is a new realistic strategy that can solve the present needs of your project and it would be a great pleasure and honor
to be part of.

Your project could be the pioneer of the new perspective on energy integration, by integrating renewable energy and energy-efficient technologies, you are offering great opportunities to reduce emissions of greenhouse gases (GHG) and consequently protect the environment.

Because it's not just a new development ... is about sustainable development.
We look forward to your comments,

Sincerely,

Ralph Hofmeier, CEO

By reading this document, you agree to use and to procure that you and your representatives use such measures and/or procedures as you and they use in relation to your and their own confidential information and trade secrets to hold and keep in confidence all the information in this document.

You undertake that you and your representatives shall make use of the confidential information in this document solely for the purpose of considering an investment in EAWC or for such other purposes from time to time agreed to by EAWC as evidenced in writing. This confidentiality clause does not oblige the Parties to enter into any definitive agreement(s) relating to any particular transaction.

You shall ensure that this document will not be copied or reproduced or transmitted by any means whatsoever.

You hereby agree that you will promptly return this document to EAWC together with all copies or reproductions thereof (and cease all use of the same) upon written request by EAWC at any time or upon a determination by the Parties not to enter into a transaction or upon the termination of the transaction.

EAWC Technologies
real solutions for real needs

+1 305 517 7330

info@eawctechnologies.com

EuroSport Active World Corp
2000 Ponce de Leon Bvld.
6th Floor - Miami Fl 33134
www.eawctechnologies.com

From: Mona Helcermanas-Benge [mailto:monahbenge@shaw.ca]
Sent: Friday, January 02, 2015 7:29 PM
To: Mayor's Office; 'info@sechelt.ca.'
Cc: mayorandcouncil@bimbc.ca; info@cdpr.bc.ca
Subject: FW: Re: DP370 Fortis BC permit to drill boreholes
Importance: High

To: Mayors and Councils
Below please find a letter submitted to the District of Squamish re: a FortisBC appearance to have permit considered in order to drill bore holes in the estuary and elsewhere for the Fortis pipeline expansion to Woodfibre.

I send it as an update on the progress of the proposal to site an LNG plant at Woodfibre which will lead to 1000' LNG supertankers transiting not only Howe Sound waters but also the Georgia/Haro Straits shipping route to the ocean.

If it is approved and built we will all have to live with the tankers and also the impact of the seawater cooling system currently banned in California and Pennsylvania. 17000 metric tonnes of water will be pumped from the sound (along with larvae, micro organisms, small fish and other marine life) every hour of every day for 25 years, run once through the plant and out again into the sound. The water, however will be 10 degrees warmer and chlorinated. It's this destruction of marine life that has finally led to the banning of the process.

I hope over 2015 we will all continue to work together for the protection of this jewel we call Howe Sound.

Best wishes for 2015
Mona Helcermanas-Benge
6588 Wellington Avenue
West Vancouver, BC V7W 2H9
604-921-6585

From: Mona Helcermanas-Benge [mailto:monahbenge@shaw.ca]
Sent: Friday, January 02, 2015 3:39 PM
To: 'pheintzman@squamish.ca'; 'jBlackman-Wulff@squamish.ca'; 'schapelle@squamish.ca'; 'kelliott@squamish.ca'; 'pkent@squamish.ca'; 'tprior@squamish.ca'; 'drace@squamish.ca'
Subject: Re: DP370 Fortis BC permit to drill boreholes
Importance: High

Dear Mayor and Council: First allow me to congratulate you all on your willingness to stand for public office and the support you were given from the Squamish District. It is a great responsibility you have taken on at this time in the District's and Howe Sound's development for the future.

As a resident of West Vancouver, just above Horseshoe Bay, I and those who live and/or visit the Howe Sound region, are very concerned about the potential impacts on public safety, the land and marine environment and the regional economy by the Woodfibre proposal. That is why resolutions and/or letters were passed and sent to the Federal Minister of Environment and Transportation a short few months ago regarding WLNG.

The District of West Vancouver voted twice to pass a resolution and were all re-elected. Bowen Island, Lions Bay, Gibsons, SCRD, Powell River RD and Islands Trust also did the same.

My request to you is to postpone any decision regarding the permit to drill the boreholes in favour of more important investigation of the issue. Surely staff can't usurp your responsibility to do the right thing.

What will be the impact of a 100' right of way on the estuary and during the time it will take to construct the pipeline under the estuary. It is a very sensitive ecosystem. Further what will that 100' right of way look like as it is constructed through Squamish and the estuary? What are the rights of residents if the right of way impacts their private land and/or places them and commercial businesses within an evacuation zone?

What about the block valves? How far apart are they and where are they located? If something goes wrong the valves cut off further flow of product but the product in between ….what happens to it? Will it burn off? Will it explode as has happened in other pipelines?

What about the compressor station? Why is it so powerful ? 2160 PSI when the standard is anywhere from 1200 – 1500PSI. 1500PSI sees a setback of 800' from pipeline and compressor station. Setbacks are based on the diameter of the pipe and the pressure going through it. Yes, Canada has no real standards but that does not mean the hazard is any less. Responsible politicians must therefore investigate every potential impact to satisfy not only themselves but more importantly those who will directly be affected by a leak and/or explosion.

I urge you to do the reasonable and responsible thing by choosing to investigate further in the interests of public safety, protection of the environment and the future development of Squamish which is advertised as "fueled by nature".

What you decide as this moves forward will impact all of Howe Sound not just in the short term but for 25 years or longer if WLNG is approved and built. The risk is greater than the benefit.

Best Wishes
Mona Helcermanas-Benge
6588 Wellington Avenue
West Vancouver, BC V7W 2H9
604-921-6585

FCM FEDERATION OF CANADIAN MUNICIPALITIES / FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

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Brock Carlton
Ottawa, ON

December 8, 2014

Dear Members of Council:

Thank you for your ongoing support of, and involvement in, the Federation of Canadian Municipalities (FCM). I am writing to ask you to renew your membership for 2015-16.

As a member of FCM, your municipality has played a vital role in FCM's ability to achieve key successes in recent years. You know, as I do, that by working together we can make a real impact on the federal scene. Together, we have secured the indexed permanent Gas Tax Fund that municipalities use for local infrastructure. The Building Canada Fund was renewed for 10 years; new railway safety regulations were put in place and key housing programs extended. Without a strong FCM membership, these advances would not have been possible.

As the mayor of Fredericton, I know that the responsibilities of municipal leaders grow daily. Regardless of the size of our municipalities, we must continually improve our core infrastructure, protect our environment, build our economies and keep our communities safe. Yes, we have many achievements, but I know first-hand that there is much work left to do.

With a federal election around the corner, we have a unique opportunity in 2015 to bring your issues to the top of the federal agenda. We will use the election campaign to raise awareness among federal politicians about the importance of our cities and communities. Strong, healthy cities and communities are vital to the economic and social well-being of our residents.

On behalf of FCM, I ask that you renew your membership for the year 2015-16 so FCM can continue to represent you at the federal level. You will find enclosed your renewal form and other information about FCM.

Your support is appreciated. Thank you!

Brad Woodside
Mayor, City of Fredericton
FCM President

24, rue Clarence Street,
Ottawa, Ontario K1N 5P3

T. 613-241-5221
F. 613-241-7440

www.fcm.ca

From: Dean Nelson [mailto:dean@gaywhistler.com]
Sent: Thursday, December 11, 2014 4:03 PM
To: corporate
Cc: Mayor's Office
Subject: Pride Proclamation Request: Jan. 24-Feb 1st

Dear Mayor Wilhelm-Morton and Council:

On behalf of Alpenglow Productions Corp., the producers of the 23rd annual Whistler Pride and Ski Festival we would like to formally ask for a Proclamation of "Pride Week" January 24th to February 1st in the Resort Municipality of Whistler as well as fly the Rainbow Pride Flag at the Municipal Hall.

This is the 23rd annual celebration of diversity in our resort community. We have much to be proud of this year. On Monday, December 8th, 2014 in Monaco the 127th IOC session of the Olympic Committee unanimously approved the 40 recommendations presented by IOC President Thomas Bach that included item 14, Principle 6. The council has approved adopting changes to the language to include "Sexual Orientation" in their non discrimination language making sports safer and more inclusive to the LGBT Community. This is significant for Whistler as we, Alpenglow Productions (gaywhistler) along with our Resort Partners, championed the first ever Olympic Pride House. A pavilion that dared to openly discuss homophobia in sports and raise awareness of our concerns for LGBT athletes and their support team(s). If Pride House had not been created in 2010 and the inclusive nature of Canada's games legacy had not been passed onto to London in 2012 it is doubtful that homophobia would have been address or corrected in such a short time frame.

Whistler has also benefited from the LGBT consumer not only during Pride week, but throughout the year. In a 2012 Economic Impact study we discovered that the festival contributes $9-Million to the local BC Economy with guests arriving from 26 nations. Of the Whistler Pride guests 71.1% are return guests and over 31% of the Pride guest visited Whistler 2+ times throughout the year and 98% are destination visitors - that is visitors that are not living within the Sea to Sky region.

Many of our guests have come from communities that are not as welcoming as Whistler, though many places in the United States it is getting better. When a municipal government takes the extraordinary step to acknowledge the LGBT community to ensure her citizens and visitors feel safe and diversity embraced, it signals that this destination has created an atmosphere where we can be ourselves. Free from fear of ridicule, emotional or physical assault.

Whistler Pride has also been fortunate enough to have been awarded RMI funds to help augment the festival's programming and bring in a major headline artist, Margaret Cho. We have already seen the booking pattern of the festival being impacted by this enhancement and anticipate our total average length of stay of 5+ room nights.

We would be grateful if the Mayor and Council on behalf of the residents of Whistler would officially proclaim Jan. 24 - Feb. 1st, 2015 "Pride Week - A Celebration of Diversity and Inclusivity"

Warm regards,
Dean
--

Dean Nelson
CEO, Executive Producer
Alpenglow Productions Corp | Certified LGBTBE
Work: 604.288.7218 | Email: dean@gaywhistler.com | GayWhistler.com

Host Hotel: Aava Whistler Hotel
Fresh New name and programming: Whistler Pride + Ski Fest continues January 24-31st, 2015

Alpenglow Productions
4005 Whistler Way
Whistler, BC V0N 1B4

PROCLAMATION
"Pride Week"
January 24 – February 1st, 2015

Whereas
All individuals seek recognition and respect of their human and civil rights which are accorded to citizens in a free and democratic society, regardless of race, culture, creed, gender identity or sexual orientation;

And whereas
The Resort Municipality of Whistler has been a pioneer in celebrating Pride publicly for the past twenty three years and has benefited socially, economically and culturally from the Lesbian, Gay, Bisexual, Transgendered, Two-Spirited, Queer (LGBTTQ) community;

And whereas
LGBTTQ people, residents and visitors alike come together each year during the Whistler Pride and Ski festival to celebrate their uniqueness as individuals, as well as their shared goals and achievements;

And whereas
This year marks the 23rd annual celebration of the Gay & Lesbian Ski/Snowboard Week;

Now therefore
I, Nancy Wilhelm-Morden, Mayor of the Resort Municipality of Whistler, do hereby proclaim the period from January 24th to February 1st, 2015, as

"Pride Week" in the Resort Municipality of Whistler.