



WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, JULY 15, 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 "Zoning Amendment Bylaw (Festivals, Events And Auxiliary Liquor Retail) No. 2055, 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,

Zoning Amendment Bylaw
(Festivals, Events And
Auxiliary Liquor Retail)
No. 2055, 2014

PURPOSE OF ZONING AMENDMENT BYLAW (FESTIVALS, EVENTS AND AUXILIARY LIQUOR RETAIL) NO. 2055, 2014

In general terms, the purpose of the proposed Bylaw is to rezone the Whistler Conference Centre, Olympic Plaza and the Upper Village Stroll to allow the sale of packaged liquor when done in conjunction with approved events such as beer festivals, wine festivals and farmers' markets. The bylaw will also generally allow "outdoor assembly" in Whistler Village and Whistler Creek.

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**

Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing
Proposed Bylaw	2-Jul-14	Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 with first and second readings rescinded and given first and second readings as amended
Council Minutes	2-Jul-14	Draft minutes of the Regular Meeting of Council of July 2, 2014
Presentation Slides	2-Jul-14	Presentation slides for Administrative Report No 14-078 to Council
Council Report 14-078	2-Jul-14	Administrative Report to Council requesting the first and second readings of the bylaw be rescinded and for consideration of first and second reading for the proposed bylaw as amended, and permission to schedule a public hearing.
Liquor License Advisory Committee Minutes	5-Jun-13	Minutes of the Liquor License Advisory Committee Meeting of June 5, 2014
Bylaw 2055	20-May-14	Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 given first and second readings
Bylaw 2056	20-May-14	Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014 given first, second and third readings
Council Minutes	20-May-14	Minutes of the Regular Meeting of Council of May 20, 2014
Presentation Slides	20-May-14	Presentation slides for Administrative Report No. 14-019 to Council
Council Report 14-019	20-May-14	Administrative Report to Council requesting consideration of first and second reading of the proposed bylaw and permission to schedule a public hearing.
Correspondence		Correspondence will be added to the package as it is received



NOTICE OF PUBLIC HEARING

TUESDAY, JULY 15, 2014 – 6:00 P.M.

Maurice Young Millennium Place
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (FESTIVALS, EVENTS AND AUXILIARY LIQUOR RETAIL) NO. 2055, 2014

SUBJECT LANDS:

Olympic Plaza: 4365 Blackcomb Way and 4334 Main Street

More specifically described as Lot 1, District Lot 5028 New Westminster District, Group 1, Plan LMP219, Except Plan LMP6463, PID: 023-135-212, and District Lot 5275, EP's LMP222, LMP224, LMP221, LMP226, LMP4764, LMP5302, LMP5532, and Lot B District Lot 5272, Group 1, EP LMP24002, Plan LMP24001, PID: 017-370-744, as shown on Map 1 attached to this notice;

Upper Village Stroll: 4545 Blackcomb Way

More specifically described as Lot 34, District Lot 3866, Plan 22981, PID: 016-492-226, as shown on Map 1 attached to this notice;

Whistler Conference Centre: 4010 Whistler Way

More specifically described as Lot 40, Except Portions in Plans 21429 and 22561, District Lot 1902, Plan 18662, PID: 007-120-184, as show on Map 1 attached to this notice; and

Those Lands shown in red on Map 2 attached to this notice.

PURPOSE:

In general terms, the purpose of the proposed Bylaw is to rezone the Whistler Conference Centre, Olympic Plaza and the Upper Village Stroll to allow the sale of packaged liquor when done in conjunction with approved events such as beer festivals, wine festivals and farmers' markets. The bylaw will also generally allow "outdoor assembly" in Whistler Village and Whistler Creek.

INSPECTION OF DOCUMENTS:

A copy of the proposed bylaw and relevant background documents may be inspected on our website at www.whistler.ca/events (see July 15, 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 (statutory holidays excluded).

PUBLIC PARTICIPATION:

All persons, who believe their interest in the property is affected by the proposed Bylaw, will be given 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 at the Public Hearing or through one of the following methods prior to the Public Hearing (by 4:30 p.m. on July 15, 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.

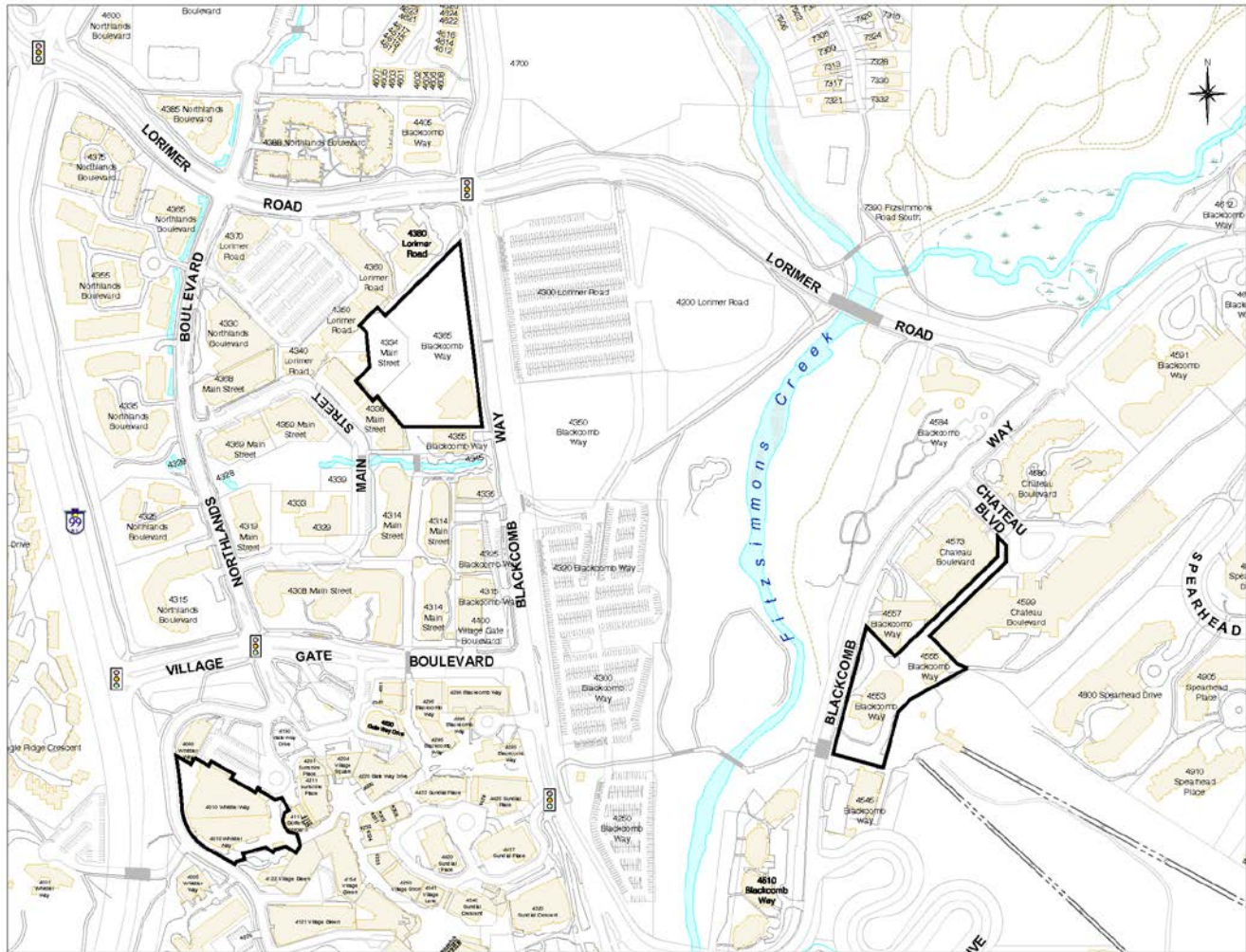
At the conclusion of this Public Hearing, no further information on this topic can be considered by Council.

Shannon Story
Corporate Officer

**ZONING AMENDMENT BYLAW (FESTIVALS, EVENTS AND
AUXILIARY LIQUOR RETAIL) NO. 2055, 2014**

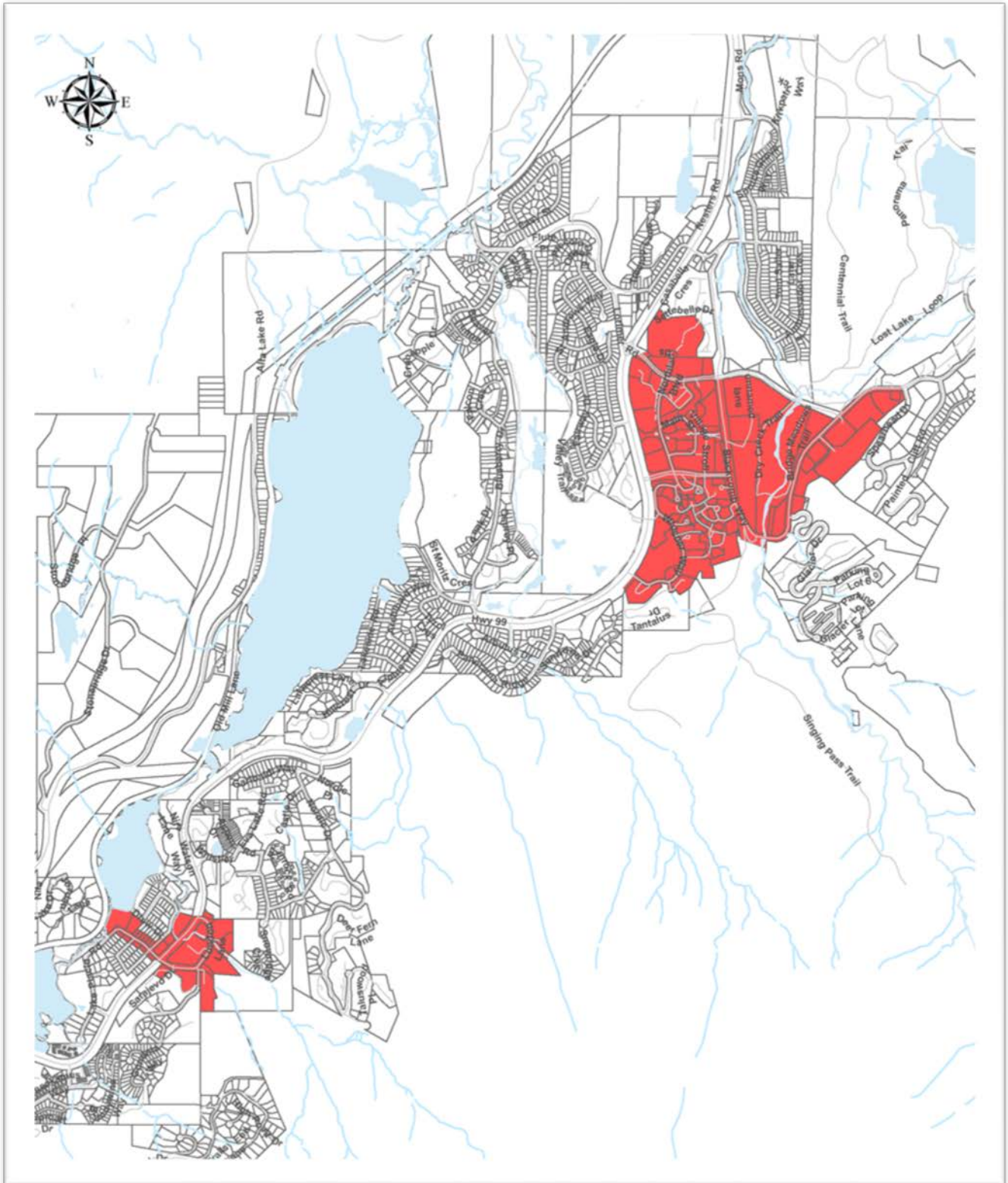
**SUBJECT LANDS 4365 BLACKCOMB WAY, 4334 MAIN STREET, 4545 BLACKCOMB
WAY AND 4010 WHISTLER WAY**

MAP 1



**ZONING AMENDMENT BYLAW (FESTIVALS, EVENTS AND AUXILIARY LIQUOR
RETAIL) NO. 2055, 2014**
**SUBJECT LANDS: AREAS TO BE ZONED TO ALLOW OUTDOOR ASSEMBLY
(SHOWN IN RED)**

MAP 2



The following Public Hearings will be held on July 15, 2014 starting at 6:00 p.m. in the following order:

1. Land Use Contract Discharge and Zoning Amendment Bylaw (RS1 Zone – 8340 Mountain View Drive) No. 2058, 2014
2. Zoning Amendment Bylaw (MC1 Zone – Mountain Commercial One) No. 2057, 2014
3. Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014

RESORT MUNICIPALITY OF WHISTLER

**ZONING AMENDMENT BYLAW (Festivals, Events and Auxiliary Liquor Retail) NO.
2055, 2014**

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

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

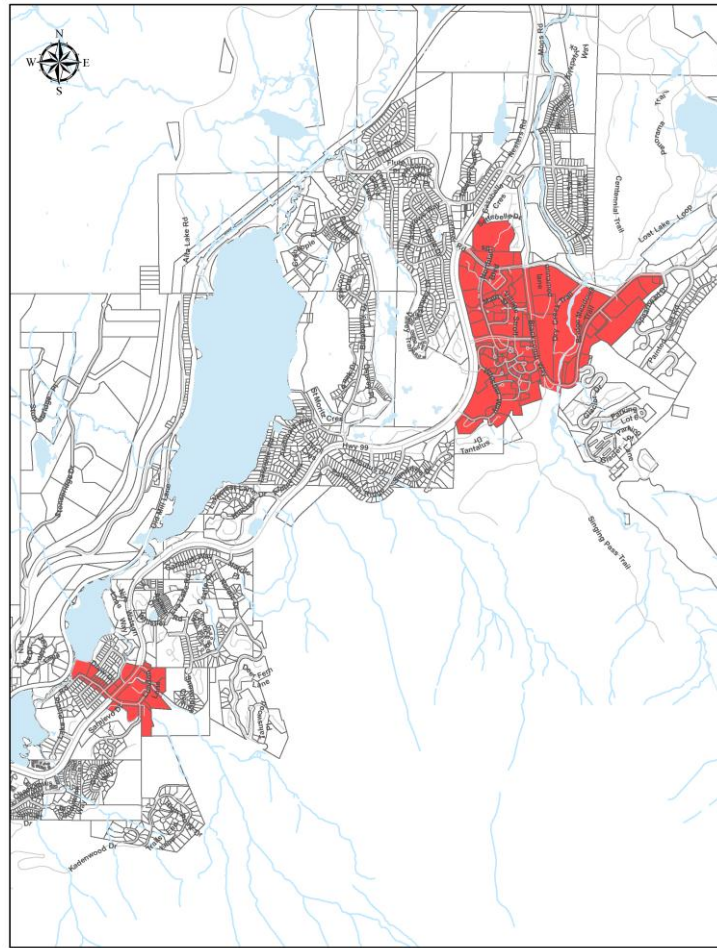
NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014”.
2. Zoning and Parking Bylaw No. 303, 1983 is amended as follows:
 - a. In Section 2—Definitions, by adding a the following definition of outdoor assembly:

“outdoor assembly” means a temporary gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, educational, recreational and philanthropic purposes outdoors or in temporary structures and includes the temporary sale of liquor as an auxiliary use;
 - b. By inserting the Heading “Outdoor Assembly in Villages” and inserting as Subsection 26.1 under Section 5 the following text and graphic:

26.1 In addition to the permitted uses in Sections 8 through 21, outdoor assembly is permitted in the Creekside Village, Whistler Village and Blackcomb Village. Within the areas shown in red in Figure 5-A

Figure 5-A : Outdoor Assembly Areas



And renumbering the sections of the bylaw that follow accordingly

c. And by adding to the table in Schedule 'D' the following

Olympic Plaza, 4365 Blackcomb Way, & 4334 Main St	<p>Lot 1 District Lot 5028 New Westminster District Group 1, Plan LMP219, Except Plan LMP6463, & DL 5275, EP's LMP222 LMP224 LMP221 LMP226 LMP4764 LMP5302 LMP5532,</p> <p>Lot B District Lot 5272 Group 1 EP LMP24002 Plan LMP24001</p>	Same as Legal Description	Temporary retail sales and sampling of packaged liquor in conjunction with an approved event.
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Upper Village Stroll, 4545 Blackcomb Way	Lot 34 District Lot 3866 Plan 22981	Same as Legal Description	Temporary retail sales and sampling of packaged liquor in conjunction with an approved event.
Whistler Conference Centre 4010 Whistler Way	Lot 40 Except Portions In Plans 21429 And 22561 District Lot 1902 Plan 18662	Same as Legal Description	Temporary retail sales and sampling of packaged liquor indoors and in conjunction with an approved event.

GIVEN FIRST READING this 20th day of May, 2014.

GIVEN SECOND READING this 20th day of May, 2014.

FIRST AND SECOND READINGS RESCINDED this 2nd day of July, 2014.

GIVEN FIRST AND SECOND READINGS this 2nd day of July, 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 (Festivals, Events and
Auxiliary Liquor Retail) No. 2055,
2014.

Shannon Story
Corporate Officer

2053, 2014;

2. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the hard and soft landscape works as security for the construction and maintenance of these works; and,
3. Approval of the location of the hydro transformer.

CARRIED

Festivals, Events and
Auxiliary Liquor Retail
Uses
Report No. 14-078
File No. 1090, Bylaw
2055

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Council rescind first and second reading of Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014; and

That Council consider giving first and second reading to Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 as amended; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014.

CARRIED

Referral of Squamish-
Lillooet Regional District
Zoning Bylaw No. 20,
1970, Amendment
Bylaw No. 1335-2014:
Brew Creek Centre
Expansion
Report No. 14-079
File No. CR0053

Moved by Councillor J. Crompton
Seconded by Councillor J. Faulkner

That Council support the Squamish Lillooet Regional District Zoning Amendment Bylaw 1335-2014; and further,

That Council authorize the Corporate Officer to forward Council's endorsement to the Board of the Squamish Lillooet Regional District (SLRD).
CARRIED

Land Use Procedures
and Fees Amendment
Bylaw No. 2060, 2014
Report No. 14-077
File No. 7007.1,
Bylaw 2060

Moved by Councillor R. McCarthy
Seconded by Councillor J. Faulkner

That Council consider giving first, second, and third readings to Land Use Procedures and Fees Amendment Bylaw No. 2060, 2014; and further,

That Council direct staff to amend Zoning and Parking Bylaw No. 303 to exempt any development related to or associated with the construction of a detached dwelling or duplex dwelling in any development permit area designated in Official Community Plan Amendment Bylaw No. 1021 1993 from requiring a development permit, if it is deemed that the applicable guidelines were met at time of subdivision.

CARRIED

2014 Municipal Election
Bylaws
Report No. 14-076
File No. 3007.1, Bylaw
2059, Bylaw 2061

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That Council consider giving first three readings to “General Local Government Election Bylaw No. 2059, 2014”;

That Council consider giving first three readings to “Mail Ballot Authorization and Procedure Amendment Bylaw No. 2061, 2014.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee

Moved by Councillor J. Grills
Seconded by Councillor D. Jackson

That minutes of the Public Art Committee of March 19, 2014 be received.

CARRIED

Coat of Arms Committee

Moved by Councillor A. Janyk
Seconded by Councillor R. McCarthy

That minutes of the Coat of Arms Committee meeting of May 12, 2014 be received.

CARRIED

Advisory Design Panel

Moved by Councillor J. Grills
Seconded by Councillor R. McCarthy

That minutes of the Advisory Design Panel meeting of May 21, 2014 be received.

CARRIED

BYLAWS TO RESCIND FIRST AND SECOND READINGS

Zoning Amendment
Bylaw (Festivals, Events
and Auxiliary Liquor
Retail) No. 2055, 2014

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That first and second readings for Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 be rescinded.

CARRIED

BYLAWS FOR FIRST AND SECOND READINGS AS AMENDED

Zoning Amendment
Bylaw (Festivals, Events
and Auxiliary Liquor
Retail) No. 2055, 2014

Moved by Councillor J. Crompton
Seconded by Councillor R. McCarthy

That Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 receive first and second readings as amended.

CARRIED

RZ 1090 FESTIVALS,EVENTS AND AUXILIARY LIQUOR RETAIL USES

Council Presentation

July 2nd 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



Background

- Council presented with Bylaws 2055 and 2056 at May 20th 2014 meeting
- Referred to Liquor Licensing Advisory Committee (LLAC) on June 5th 2014
- Province announced adoption of provincial liquor changes on June 21st 2014
- Zoning Amendment Bylaw has been changed:
 - LLAC Feedback
 - Finalized Provincial Regulations
 - Technical amendments

Zoning Amendment Bylaw Changes

May 20th Version

Create definition of “outdoor assembly” and generally allow in core commercial areas.

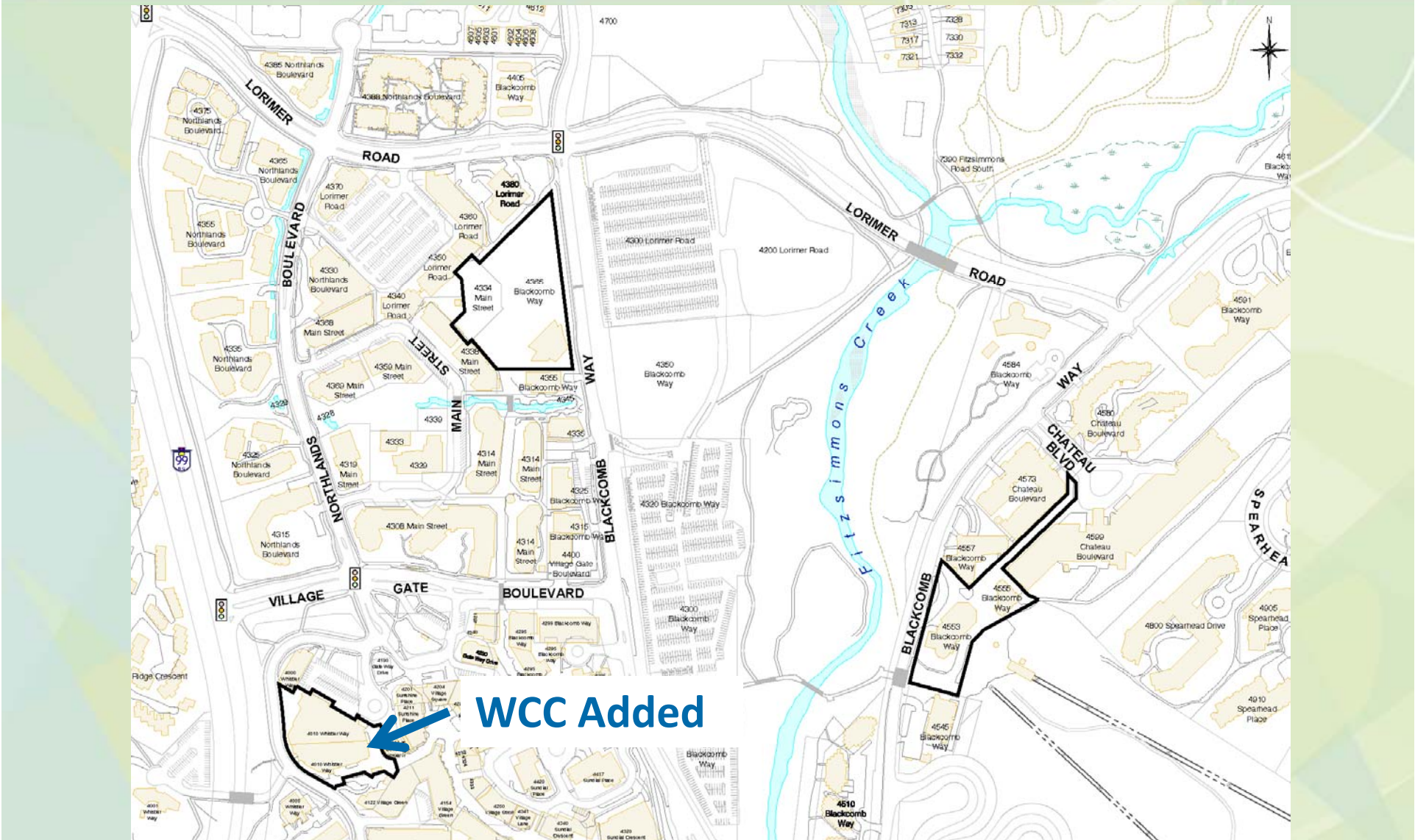
Retail packaged liquor sales allowed where auxiliary to a related event in Olympic Plaza, and the Upper Village Stroll

Revised Version

Bylaw no longer references OCP. Refers to a map in Zoning Bylaw. Area has not changed

WCC added to list of permitted sites. Erroneous legal description for Upper Village Stroll corrected.

Proposed Event-Related Packaged Liquor Sales Sites



Planning & Policy Review

- Congruent with newly adopted liquor regulations
- Better aligns Zoning Bylaw and Business Regulation Bylaw with OCP for ease of use.
- Supports festivals and events in villages which is consistent with the OCP policies.
- Consistent with the intent of the OCP and Whistler 2020; Supports the Whistler Experience.

Recommendation

- **That** Council rescinds first and second reading of Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014; and
- **That** Council give first and second reading to Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014 as amended; and further



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: July 2, 2014

REPORT: 14-078

FROM: Resort Experience

FILE: 1090, Bylaw 2055

SUBJECT: FESTIVALS, EVENTS AND AUXILIARY LIQUOR RETAIL USES

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council rescind first and second reading of Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014; and

That Council consider giving first and second reading to Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014 as amended; and further,

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014.

REFERENCES

Appendix A: Location Map –Outdoor Assembly Core Commercial Areas

Appendix B: Location Map - Map showing proposed areas to allow auxiliary packaged liquor sales

Appendix C: Liquor Control and Licensing Branch Policy Directive No. 14 – 11.

Appendix D: Liquor Control and Licensing Branch Policy Directive No. 14 – 12.

PURPOSE OF REPORT

This report is an addendum to the report to Council dated May 20th 2014, pertaining to the sale of packaged liquor at festivals and events in response to the proposed changes to BC's liquor control regulations. This report outlines changes made to Zoning Amendment Bylaw 2055, initially presented to Council at the May 20th meeting. The changes have been made to incorporate feedback from the Liquor Licensing Advisory Committee (LLAC), correct a minor error in the bylaw and amend map references to refer to a map that will be included in the Zoning Bylaw..

DISCUSSION

Background

On May 20th 2014 Council was presented with a staff report recommending bylaw changes that would accommodate pending changes to provincial liquor regulations. These changes would facilitate the sale of packaged liquor at festivals and events, such as beer and wine festivals and farmers' markets. At the meeting, Zoning Amendment Bylaw 2055 was given 1st and 2nd reading and Business Regulation Amendment Bylaw 2056 was given 1st, 2nd and 3rd reading. The province issued policy directives on June 21st authorizing the sale of packaged liquor at special events and farmers' markets. These directives are attached as Schedules C and D.

At the May 20th Council meeting it was suggested by Council that the proposed bylaws be presented to the LLAC for feedback. Staff brought the proposal to the LLAC on June 5th. The LLAC endorsed the proposed changes, with a recommendation that zoning and business regulations be

reviewed again after the provincial regulations are amended. The LLAC also discussed the potential to include some indoor venues in the list of permitted sites allowing event-related packaged liquor sales. In particular, support was indicated for including the Whistler Conference Centre (WCC) in the list of permitted sites, so as to accommodate events such as Cornucopia. Staff reviewed the proposal further in light of this discussion and determined that amending the bylaws to include the WCC was consistent with RMOW policies. With the adoption of the new provincial regulations, staff were also able to review the proposed bylaws in light of provincial policy. Staff have determined that the provincial policies and the proposed RMOW bylaws are congruent.

Changes to the Proposed Zoning Amendment Bylaw

To accommodate the feedback from the LLAC, the bylaw has been amended to include the WCC in the list of sites where event-related packaged liquor sales may occur. For this site, the bylaw restricts packaged liquor sales to indoor areas.

To describe where 'outdoor assembly' uses would be permitted, the bylaw presented to Council on May 20th included both a map and a reference to the Core Commercial Areas in the OCP. The bylaw has been amended to remove the reference to OCP and now only refers to the map included in the Zoning Bylaw. The geographic area where outdoor assembly uses will be permitted under the bylaw has not changed. An erroneous legal description in the list of permitted sales sites has also been corrected.

Festivals and events: Business Regulation Bylaw

The Business Regulation Amendment Bylaw was drafted as a more generalized companion amendment to be consistent with the proposed zoning changes. No amendments to this bylaw are necessary to accommodate the changes to the Zoning Amendment Bylaw. This bylaw is presented to Council unchanged, with the recommendation that it be held at third reading and be considered for adoption in conjunction with the zoning amendment bylaw.

Proposed Bylaws

The amended version of the proposed zoning amendment bylaw provides the exact wording of the proposed changes. The map included as Schedule B has been revised to show the location of the WCC.

The changes proposed by the LLAC are in keeping with the intent and objectives of the changes originally developed by staff. Subsequently, staff feels that these further changes are in keeping with the intent of the OCP and Whistler 2020.

WHISTLER 2020 ANALYSIS

The Whistler 2020 Analysis was provided in Administrative Report No. 14-056 to Council on May 20th 2014. The proposed addition of the WCC as a site for packaged liquor sales is in keeping with Whistler 2020, for the reasons outlined in the previous report. Staff have no further information to add to the review in this regard.

OTHER POLICY CONSIDERATIONS

Official Community Plan

The proposed zoning bylaw and business license bylaw amendments remain consistent with the Municipality's OCP, both as per Schedule "A" of OCP Amendment Bylaw No. 1021, 1993, and as per Schedule A of OCP Adoption Bylaw No. 1983, 2011 as revised.

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. The proposed bylaws were presented to the LLAC. The LLAC was supportive of the bylaws and the recommendations of the LLAC committee have been reflected in the changes to the proposed bylaws.

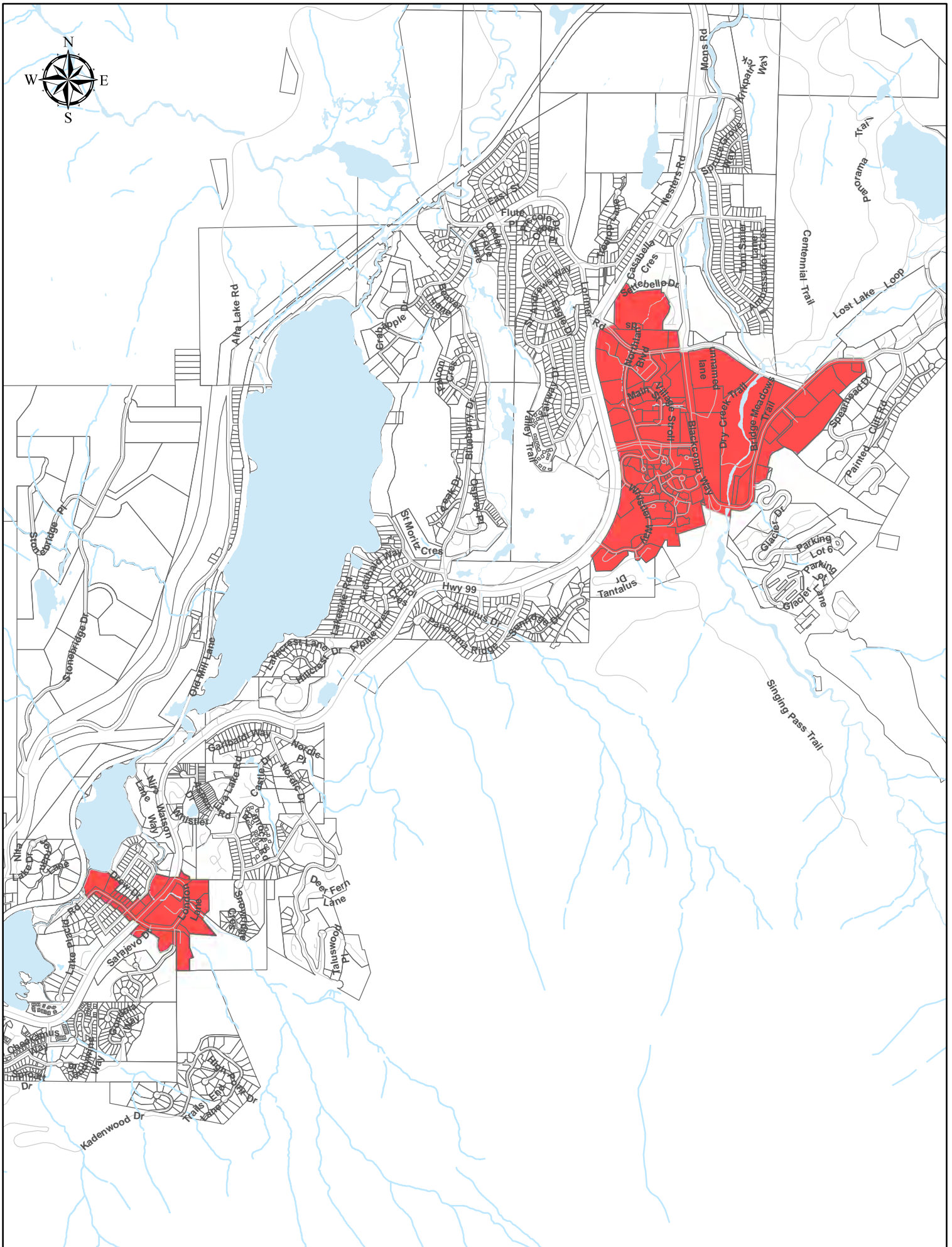
SUMMARY

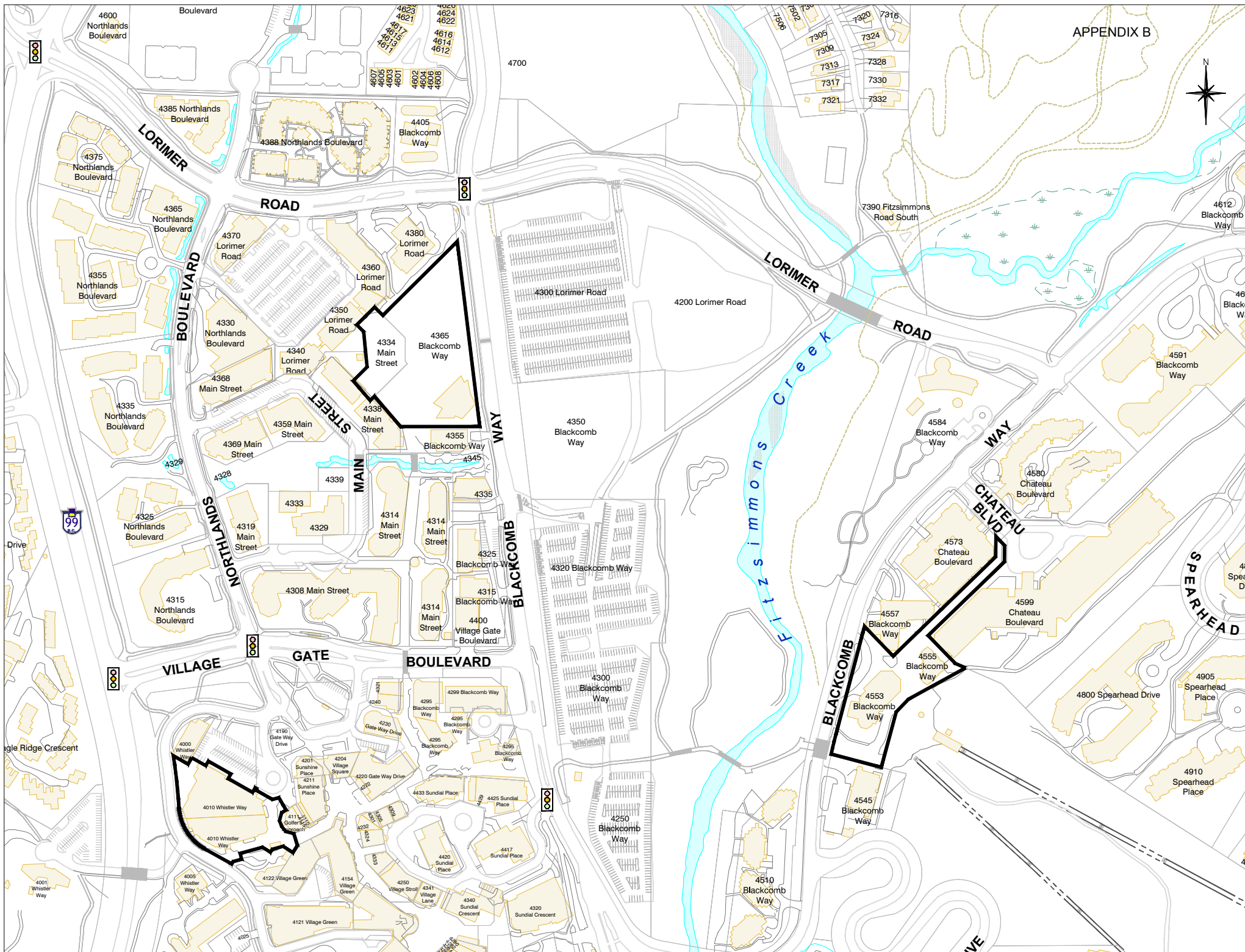
The proposed bylaws, as amended, remain consistent with Whistler 2020, OCP 1983 and OCP Bylaw 1021. The changes initially presented to Council on May 20th and further changes proposed by the LLAC on June 5th 2014 will benefit important events that can take advantage of pending changes to provincial liquor regulations.

Respectfully submitted,

Jake Belobaba, MCIP, RPP
Senior Planner

For
John Rae
Acting General Manager of Resort Experience





APPENDIX B



Liquor Control and Licensing Branch
POLICY DIRECTIVE
No: 14 - 11

Date: June 21, 2014

To: All LCLB staff
 All manufacturer licensees
 All Local Government, First Nations, and Police Agencies
 BC Farmer's Market Association

Re: Liquor sales at farmers' markets

Introduction

The implementation of the recent Liquor Policy Review (LPR) report recommendation (#31) will permit licensed manufacturers to sell their products at farmer's markets. The new Liquor Control and Licensing Regulation sections 18.3 – 18.6 outline the criteria for eligibility and sale of liquor at a farmers market.

Eligibility

Licensees: A licensed manufacturer (winery, brewery, distillery) with an on-site store endorsement may apply for a Farmer's Market Authorization to sell their products at a farmer's market. Licensees are responsible for confirming that the farmer's market complies with local bylaws around the sale of packaged liquor and that the market where they plan to sell meets the following criteria:

- is comprised entirely of vendors who make, bake, grow or raise the products they sell at the market;
- is managed or carried on by an organization that is incorporated under the *Society Act* or the *Business Corporations Act*;
- is comprised of at least 6 vendors, and;
- operates for at least 2 hours in a day, at least 4 times per year, but no more than twice a week.

Markets: Farmer's markets do not have to apply to the Branch to host liquor vendors. However, it is recommended that all markets who intend to invite liquor vendors confirm with their local government/First Nation that the sale of packaged liquor is permitted in this manner within the municipality that the market takes place.

Licensees are required to confirm with markets that the market site is permitted by local government/First Nation bylaws to sell packaged liquor for off-site consumption. Licensees are required to submit the market's Society or business registration information as part of their authorization application and will request this from host markets.

Just like for any vendor, market organizers will provide the invited liquor licensees with a defined sales area for their products. Liquor licensees will then conduct all sales and sampling within that area.

Markets are not obliged to host liquor licensees. If a market chooses to invite liquor licensees as vendors they may limit the sale in other ways to ensure the principles of the market are maintained. For example, the market may choose to rotate licensees, limit the number of liquor vendor spots per market, or limit the type of liquor that licensees may sell.

Important for markets: If a liquor vendor cannot produce a Farmer's Market Authorization issued by the Branch they have not been authorized to sell liquor at a market.

Policies

The market authorization is valid during the market hours only and liquor may not be sold outside of store endorsement hours 9 am to 11pm. This means that even if a market begins at 8am a liquor vendor may not sell until 9am.

Licensees may only sell the products registered to the licence and permitted in the onsite store. All market sales must be reported as usual through the onsite store endorsement.

Each manufacturer must have a distinct sales area and must post their authorization in a conspicuous location in their area during each market.

Staff at the market stall must have Serving it Right certification and must not be minors.

All sales must occur within the sales area provided for the licensee by the market organizers. Sampling must also take place within the market sales area and patrons may not remove samples from the sales area to walk around the market. Licensees may not charge for samples and sample sizes are restricted as follows (per person per day):

Type of Liquor	Single Product	Multiple product
Wine	20ml	30ml
Spirits	10ml	20ml
Beer / Cider / Coolers	30ml	45ml

Procedures: Obtaining a Farmer's Market Authorization

Farmer's Market Authorization forms are available on the branch website.

Prior to completing the form the licensee must:

- confirm that the market meets the definition of farmer's market. Farmers markets will have an emphasis on local produce and related farm products - markets that sell imported goods or flea markets may not host liquor vendors.
- be accepted to sell at the market by the market organizers
- request the market's registration information (e.g. society registration number) needed for the authorization
- confirm with the market that the municipality where the market occurs has permission to include liquor vendors in the market

- determine which dates to sell at the market. Your authorization will only be valid for the series of market dates submitted.
- If you would like to sell at two different markets (e.g. one in Osoyoos and one in Penticton) you will need a separate authorization for each one.

There are currently no fees for this authorization and the form can be found at http://www.pssg.gov.bc.ca/lclb/forms_fees/index.htm . Please complete the form and fax or email it to the branch at LCLBOneStopHelp@gov.bc.ca or fax to 250-952-7066 at least five business days before the first planned event. Remember to include an email address where the branch can send the authorization. Licensees will need to print it out and post it at the market.

If you have any questions regarding selling at farmer's markets please call your inspector or the branch at the number below.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by:

Douglas Scott
Assistant Deputy Minister and General Manager



Liquor Control and Licensing Branch
POLICY DIRECTIVE
No: 14 - 12

Date: June 21, 2014

To: All LCLB staff
 All LRS and wine store licensees
 All Local Government, First Nations, and Police Agencies
 Liquor Distribution Branch

Re: Liquor Policy Review recommendation 32: Temporary stores at tasting-focussed food and beverage festivals licensed under a Special Occasion Licence

Introduction

The implementation of the recent Liquor Policy Review (LPR) report recommendation #32 will permit licensed wine stores (WS) and licensee retail stores (LRS) to sell their products for off-site consumption at a tasting-focused food and beverage festival licensed under a special occasion licence (SOL).

32. Allow patrons to buy bottles of liquor to take home that are showcased at festivals or competitions. Consider amending SOLs issued to festivals and competitions, or allow BC Liquor or private retail stores to operate a temporary store on site as the means to provide for these sales.

The new Liquor Control and Licensing Regulation sections 14.2 – 14.4 outline this new ability.

Eligibility

Eligibility is limited to active LRSs or WS's (manufacturer on-site stores are not eligible). A WS or LRS may apply for a "temporary off-site sale endorsement" under section 14.3 of the Regulation. Once endorsed, the licensee must notify the Branch to obtain an event specific authorization to set up a temporary retail store at an event licensed under an SOL. Each festival requires its own authorization.

Eligible festivals must have a primary focus on tasting or introduction of liquor products and/ or accompanying food (e.g. a wine festival licensed under an SOL with many manufacturers presenting their products, possibly in combination with foods, would qualify, whereas the SOL attached to a music festival would not).

Licensed WS's who set up a temporary store are limited to the types of products they are permitted to sell under the licence of the permanent store (e.g. a BCVQA wine store could only sell BCVQA wine at an SOL licensed food and beverage festival).

The authorizations are only permitted in association with a special occasion licensed event. Other event types that resemble SOLs, such as events licensed under temporary extensions of liquor primary licences or licensed catering events, are not eligible to host temporary retail stores.

Terms and conditions of the authorization

- The authorization is valid during the hours and days of the festival subject to regular retail hours of 9 am to 11 pm. This means that even if a festival ends at midnight a liquor vendor may not sell after 11 pm.
- All sales at the temporary location must be recorded as sales from the permanent store. WS's must only sell the range of products permitted by their store licence.
- All liquor sold from the temporary store must be purchased from the LDB or other channels approved for the permanent store. Licensees may return unsold stock to the permanent store inventory after the event.
- The WS or LRS licensee is responsible for confirming with the SOL licensee that the local government/first nation permits the sale of packaged liquor for off-site consumption at the SOL licensed event.
- Endorsed licensees must have a distinct sales area and must post their authorization in a conspicuous location in that area during each event. All sales must be conducted within that area.
- No consumption of any kind is permitted within the designated retail sales area. Sampling and consumption are only permitted in the associated SOL service area(s).
- Minors may be present in the sales area if they are permitted under the SOL.
- The terms and conditions of the permanent store apply at the temporary store with regards to pricing, product limitations, promotions and staff training (Serving it Right) and age requirements.
- The products purchased from the temporary store are for consumption away from the Special Occasion Licensed event.
- The General Manager may place additional limits in the public interest.

Procedure for wine store and LRS licensees: Endorsements and authorizations

The licensee may use the form LCLB005B - Permanent Change to Your Liquor Licence to apply for the endorsement at http://www.pssg.gov.bc.ca/lclb/forms_fees/index.htm. Once endorsed, the licensee may accept invitations from SOL licensees of food and beverage festival events to set up a temporary store. For each event the licensee must obtain authorization from the Branch by completing the Temporary Store Authorization Application form LCLB 091 and emailing (LCLBOneStopHelp@gov.bc.ca) or faxing (250-952-7066) it to the branch at least 14 calendar days before the event. Include an email address where the branch can send the authorization as licensees will need to print it out and post it at the event.

In order to complete the authorization the licensee requires details of the event such as times, dates, location, type of event (wine festival, beer festival etc) and the contact information for the SOL licensee and the SOL licence number for the event.

As part of event planning, prior to inviting an LRS or WS to set up a store, the SOL licensee must confirm with the local government/First Nation that the sale of packaged liquor for off-site consumption is permitted in this manner. LRS and WS licensees must request and confirm this permission with the SOL licensee before applying for authorization to set up a temporary store.

Fees

There is no application fee for this endorsement at this time. Fees are being reviewed later this year and this endorsement may then be subject to an annual renewal fee and an initial application fee.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by:

Douglas Scott
Assistant Deputy Minister and General Manager



WHISTLER

MINUTES

REGULAR MEETING OF LIQUOR LICENSE ADVISORY COMMITTEE THURSDAY, JUNE 5, 2014, STARTING AT 8:45 A.M.

In the Flute Room at Whistler Municipal Hall
4325 Blackcomb Way, Whistler, BC V0N 1B4

PRESENT:

Accommodation Sector Representative, Colin Hedderson
Food & Beverage Sector Representative – Nightclubs, Terry Clark
Food & Beverage Sector Representative – Pubs/Bars, Chair, Mike Varrin
Food & Beverage Sector Representative – Restaurants, Vice-chair, Brenton
Smith
Public Safety Representative, RCMP, Rob Knapton
Whistler Community Services Society Representative, Jackie Dickinson
Whistler Fire Rescue Service (WFRS) Representative, Chris Nelson
Councillor, John Grills
RMOW Staff Representative, Secretary, Frank Savage
RMOW Senior Planner, Jake Belobaba
Recording Secretary, Kay Chow
Administrative Assistant, Shannon Perry

REGRETS:

Liquor Control and Licensing Branch (LCLB) Inspector, Holly Glenn

Call to Order

Mike Varrin called the meeting to order 8:48 a.m.

Round table introductions.

ADOPTION OF AGENDA

Moved by R. Knapton

Seconded by C. Hedderson

That the Liquor License Advisory Committee adopt the Liquor License
Advisory Committee agenda of June 5, 2014.

CARRIED.

ADOPTION OF MINUTES

Moved by B. Smith

Seconded by T. Clark

That the Liquor License Advisory Committee adopt the Regular Liquor
License Advisory Committee minutes of May 1, 2014.

CARRIED.

COUNCIL UPDATE

Councillor Grills extended condolences to the RCMP regarding the loss of

three of their members who died in the line of duty and a speedy recovery to the two members injured in the line of duty in Moncton, NB. Council update: Longhorn patio application approved; consider a pre-approval process for future development permit applications involving increased license capacities; GLC application approved; SOL for Tough Mudder Expo & Beer Garden approved; OCP litigation, B.C. Supreme Court ruled in favour of the petitioner, First Nations; Mayor Wilhelm-Morden announced that she will be seeking another term as mayor of Whistler.

PRESENTATIONS/DELEGATIONS

Retail Liquor Sales at
Festivals and Special
Events
File No. RZ1090

Frank Savage advised on the following.

1. Recommendation # 31 from the 2013 BC Liquor Policy Review would permit BC liquor manufacturers to offer products for sample and sale at temporary offsite locations; e.g. farmers' markets.
2. Recommendation # 32 would allow patrons to purchase liquor showcased at festivals or competitions.
3. March 2014 Provincial Government indicated that these two recommendations (among several others) are high priority for implementation; LCLB policy preparation under way.
4. Enabling legislation Bill 15 has received Royal Assent.
5. Recommendation # 31 & 32 will require further LCLB regulations and policy implementation. They are not currently in force, although this may happen in the near future.
6. The Upper Village Farmers Market have indicated that they are interested in providing sampling and sales of BC liquor product as soon as it is permitted.
7. The Whistler Beer Festival have not requested offsite sales. Retail sales may be a future consideration; recommendation # 32 would enable this.

Mike Kirkegaard, Director of Planning, RMOW entered the meeting at 8:56 a.m.

8. Current municipal zoning bylaw restricts sale of packaged liquor for offsite consumption to nine locations within Whistler.
9. To enable these two recommendations the municipal Planning Dept. introduced amendments on May 20, 2014 to the Zoning Bylaw and the Business Regulation Bylaw to permit retail sale of packaged liquor at the Upper Village Stroll and Whistler Olympic Plaza as part of a festival or special event.
10. Public Hearing scheduled July 2, 2014.
11. Municipal Council requests LLAC comments.

Jake Belobaba advised on the following.

12. The review recommendations are very specific, must be BC liquor product, events such as farmers markets.
13. The Whistler Zoning Bylaw and Business Regulation Bylaw require amendments because retail liquor sales are currently spot zoned to nine sites. The Business Regulation Bylaw prohibits retail sales and soliciting of sales in any public place. Core event areas are currently zoned for

different permitted land uses.

14. Proposed Zoning Bylaw amendments:
 - i. Create a definition for “outdoor assembly”.
 - ii. Allow retail sales of packaged liquor as an auxiliary use to approved outdoor assembly uses in Whistler Olympic Plaza and the Upper Village Stroll.
15. Proposed Business Regulation Bylaw amendments:
 - i. Allow limited sale of any retail good when done in conjunction with a special event.
 - ii. Restrict packaged liquor sales to the Upper Village Stroll and Whistler Olympic Plaza.
16. Colour map of designated core commercial area, with two highlighted sites for special events permitting retail liquor sales, Whistler Olympic Plaza and Upper Village Stroll.
17. Proposed amendments are supportive of existing policy as outlined in OCP and Whistler 2020. This type of use does not conflict with the goals for promotion of festivals and events such as farmers’ markets.
18. Community benefits; enhances promotion of festivals and events.
19. Council consideration given May 20, 2014.
20. The July 2, 2014 Public Hearing date may change pending other issues.
21. Staff will review further when regulation changes are implemented by the Province.

LLAC Member Questions and Comments

1. Restaurant Sector: what are the impacts or benefits to the Blackcomb Liquor Store? What are the benefits of the Sunday and Wednesday Farmers’ Market? Is there an offset because the BC Liquor Stores are closed on Sundays? Is there an opportunity for the Blackcomb Liquor Store to get involved? Staff responded that there is a working relationship between the Farmers’ Market manager and the Blackcomb Liquor Store.
2. Accommodation Sector: applaud proactive approach given the vague timeline; great to see the motion moving forward and municipal preparation.
3. Councillor: Consider including trade events and wine festivals such as Cornucopia and the Whistler/Blackcomb Foundation wine tasting fundraiser at this time. The word “sample” needs further definition. The Wednesday afternoon Upper Village Farmers Market is a very minor event compared to the Sunday event which is very busy and full, it’s not likely that there will be any liquor sampling occurring on Wednesday.
4. Nightclub Sector: if the Public Hearing for the bylaw amendments is scheduled for July 2, when will they be approved? Possibly that evening or at the next Council meeting pending Provincial approvals.
5. Pub Sector: recommendation # 31 specifies BC liquor product; does recommendation # 32 specify BC liquor product? Would it be open to any liquor product? It is not specified in # 32, this would allow liquor products from other jurisdictions to be part of festivals and competitions.
6. Pub Sector: is the entire Farmers’ Market area a red line area or is it a red line specific to the sample booth? For example can a patron obtain a sample from in front of the Chateau and then walk down the stroll while sipping the sample? The tasting will be subject to Provincial regulations, which may be similar to winery tastings, you cannot leave the premises. Since there really aren’t any premises, can you wander around the

market and not leave the property? The provincial regulations and policies will likely establish limitations and restrictions, sampling will most likely be confined to the booth.

7. RCMP: echo Councillor's comments to consider including the Conference Centre for Cornucopia event. Staff responded that future bylaw amendments could include spot zoning.
8. Restaurant Sector: wine manufacturers participating in Cornucopia have expressed excitement with these proposed changes as there has been general declining interest; the current regulations are quite stifling.
9. RMOW: Cornucopia organizers have commented that the new liquor regulations pertaining to festivals and competitions would enhance the value of the Cornucopia wine festival, if the wine manufacturers are permitted to sell their product at the event.
10. Pub Sector comment: Both these changes reflect the unique environment of the resort municipality; having local regional products tie into the experience will be a real benefit to the community; a great initiative.
11. There was further discussion regarding the merits of including other potential locations such as the Conference Centre in the proposed bylaw amendment, which could support events such as Cornucopia.

Moved by F. Savage
Seconded by B. Smith

That the Liquor License Advisory Committee endorse the bylaw changes as proposed with the expectation that RMOW regulations will be reviewed again after the Province has formally amended the liquor regulations.

CARRIED.

Mike Kirkegaard left the meeting.

OTHER BUSINESS

Update: Liquor Policy
Review Proposed
Changes

Frank Savage advised on the following.

1. Bill 15: The Liquor Control and Licensing Amendment Act, 2014 received Royal Assent on May 29, 2014.
2. Two minor changes took effect, only one applicable to Whistler resort regarding off-site liquor storage.
3. Other proposed changes requiring LCLB regulations before coming into force:
 - Allowing liquor sales in grocery stores.
 - Allowing happy hours.
 - Permitting sales of wine, beer and spirits at off-site retail locations such as farmers markets.
 - Allowing patrons to buy bottles of liquor to take home that are showcased at festivals or competitions.
 - Streamlining the process for facilities such as ski hills and golf courses to temporarily extend their licensed area to another part of their property.
 - Allowing wineries, breweries and distilleries to set up low risk tasting venues at their manufacturing site.
 - Permitting wineries, breweries and distilleries to offer patrons liquor products that they did not produce.

- Expanding Serving It Right.
- 4. Further updates can be obtained from the LCLB website
<http://www.pssg.gov.bc.ca/lclb/>.

Next Meeting

The next meeting is scheduled for Thursday, July 3, 2014.

ADJOURNMENT

Moved by M. Varrin

That the Liquor License Advisory Committee adjourn the June 5, 2014 committee meeting at 9:28 a.m.

CARRIED

CHAIR: Mike Varrin

SECRETARY: Frank Savage

RESORT MUNICIPALITY OF WHISTLER

**ZONING AMENDMENT BYLAW (Festivals, Events and Auxiliary Liquor Retail) NO.
2055, 2014**

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

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

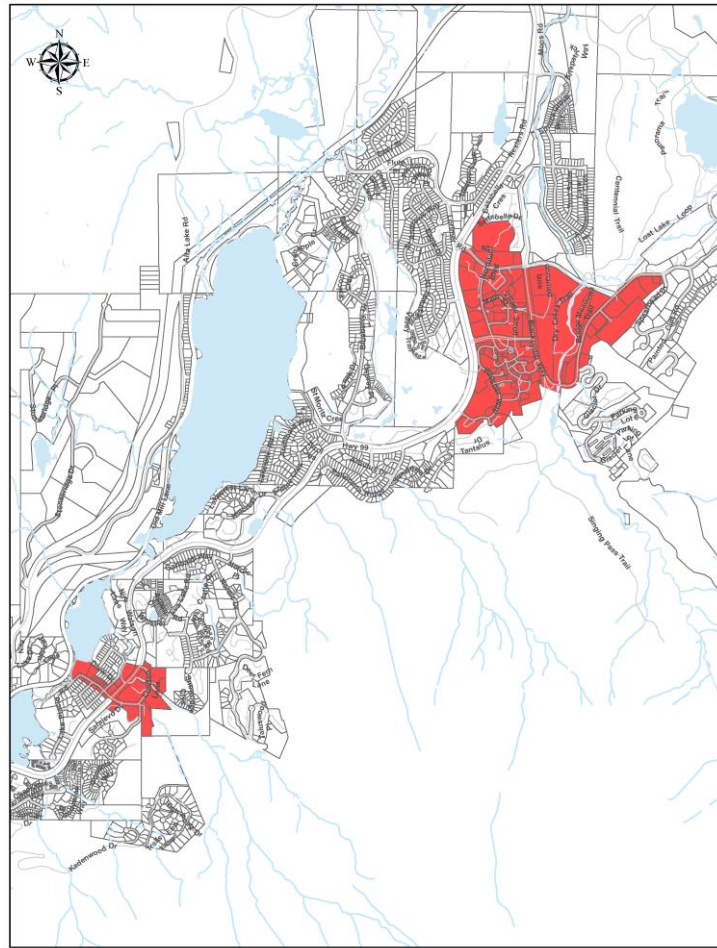
NOW THEREFORE the Municipal Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Festivals, Events and Auxiliary Liquor Retail) No. 2055, 2014”.
2. Zoning and Parking Bylaw No. 303, 1983 is amended as follows:
 - a. In Section 2—Definitions, by adding a the following definition of outdoor assembly:

“outdoor assembly” means a temporary gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, educational, recreational and philanthropic purposes outdoors or in temporary structures and includes the temporary sale of liquor as an auxiliary use;
 - b. By inserting the Heading “Outdoor Assembly in Villages” and inserting as Subsection 26.1 under Section 5 the following text and graphic:

26.1 In addition to the permitted uses in Sections 8 through 21, outdoor assembly is permitted in the Creekside Village, Whistler Village and Blackcomb Village within areas designated as ‘Core Commercial’ in Official Community Plan Bylaw 1983, 2011.

Lands Designated as Core Commercial in OCP Bylaw 1983, 2011



And renumbering the sections of the bylaw that follow accordingly

c. And by adding to the table in Schedule 'D' the following

Olympic Plaza, 4365 Blackcomb Way, & 4334 Main St	<p>Lot 1 District Lot 5028 New Westminster District Group 1, Plan LMP219, Except Plan LMP6463, & DL 5275, EP's LMP222 LMP224 LMP221 LMP226 LMP4764 LMP5302 LMP5532,</p> <p>Lot B District Lot 5272 Group 1 EP LMP24002 Plan LMP24001</p>	Same as Legal Description	Temporary retail sales and sampling of packaged liquor in conjunction with an approved event.
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Upper Village Stroll, 4545 Blackcomb Way	Plan LMP3260 Lot 11 Group 1 District Lot 3866 & 3903	Same as Legal Description	Temporary retail sales and sampling of packaged liquor in conjunction with an approved event.
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GIVEN FIRST READING this 20th day of May, 2014.

GIVEN SECOND READING this 20th day of May, 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 (Festivals, Events and
Auxiliary Liquor Retail) No. 2055,
2014.

Shannon Story
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER

BUSINESS REGULATION AMENDMENT BYLAW (Auxiliary Retail) NO. 2056, 2014

A BYLAW TO AMEND BUSINESS REGULATION BYLAW NO. 739, 1989

WHEREAS Council is authorized by Section 8 of the *Community Charter* to regulate, by bylaw, in relation to business, and the protection and enhancement of the well-being of its community.

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 "Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014".
2. Business Regulation Bylaw No. 739, 1989 is amended, by inserting as Section 3:
 3. Notwithstanding section 2(d), selling or offering for sale goods, including the sale and sampling of packaged liquor, is permitted, provided that:
 - a) the goods and their sale are naturally and customarily incidental and subordinate to an outdoor assembly use approved by the Resort Municipality of Whistler,
 - b) the sale of goods does not involve canvassing or soliciting, and
 - c) the sale and sampling of packaged liquor is limited to Olympic Plaza and the Upper Village Stroll.

And renumbering the sections that follow as sections 4 through 17

GIVEN FIRST READING this 20th day of May, 2014.

GIVEN SECOND READING this 20th day of May, 2014.

GIVEN THIRD READING this this 20th day of May, 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 Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014.

Shannon Story
Corporate Officer

Festivals And Events And Moved by Councillor D. Jackson
Auxiliary Liquor Retail Seconded by Councillor A. Janyk
Uses

Report No. 14-056
File No. 1090

That Council considers giving first and second reading to Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014;

That Council considers giving first, second and third readings to Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014; and further

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014.

CARRIED

2014-2015 Annual
Operating Agreement
(AOA) – Transit and Pilot
TaxiSaver Program
Report No. 14-057
File No. 534

Moved by Councillor J. Crompton
Seconded by Councillor R. McCarthy

That Council authorize the Mayor and Corporate Officer to execute the 2014-2015 Whistler Transit Annual Operating Agreement (AOA) for the period April 1, 2014 through March 31, 2015.

That Council authorizes staff to work with the Whistler Community Services Society (WCSS) staff to set up a pilot program for a Whistler TaxiSaver Program with a maximum annual budget of \$6,000.

CARRIED

Tender Award – Annual
Road and Trail
Reconstruction Program
Report No. 14-047
File No. 523.1

Moved by Councillor J. Crompton
Seconded by Councillor J. Faulkner

That Council authorize the Mayor and Corporate Officer to execute the contract with Alpine Paving (1978) Ltd. for the Annual Road and Trail Reconstruction Program in the amount of \$1,462,330.65;

And that Council not accept the alternate tender offering included with the bid from Alpine Paving (1978) Ltd.

CARRIED

Award of Contract –
Solid Waste Operations
Report No. 14-049
File No. 610

At 7:20 p.m. Mayor Wilhelm-Morden declared a previously stated conflict of interest and left the meeting.

Moved by Councillor D. Jackson
Seconded by Councillor R. McCarthy

That Council accept the negotiated terms of the contract as detailed in Appendix A, contract Term sheet; and

That Council authorize the Mayor and Corporate Officer to sign the contract for Solid Waste Operations with Evergreen Projects Limited.

CARRIED

BYLAWS FOR FIRST AND SECOND READING

Zoning Amendment
Bylaw (Festivals and
Events and Auxiliary
Liquor Retail) No. 2055,
2014

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014 receive first and second readings.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Business Regulation
Amendment Bylaw
(Auxiliary Retail) No.
2056, 2014

Moved by Councillor R. McCarthy
Seconded by Councillor J. Crompton

That Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014 receive first, second, and third readings.

CARRIED

Environmental Protection
(Invasive Species and
Development Permit
Conditions) Amendment
Bylaw No. 2052, 2014.

Moved by Councillor A. Janyk
Seconded by Councillor R. McCarthy

That Environmental Protection (Invasive Species and Development Permit Conditions) Amendment Bylaw No. 2052, 2014 receive first, second, and third readings.

CARRIED

BYLAWS FOR THIRD READING

Zoning Amendment
Bylaw (RM48-2007
Karen Crescent) No.
2053, 2014

Council took no action regarding Zoning Amendment Bylaw (RM48-2007 Karen Crescent) No. 2053, 2014.

Zoning Amendment
Bylaw (Marihuana
Production) No. 2042,
2014

Moved by Councillor D. Jackson
Seconded by Councillor A. Janyk

That Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 receive third reading.

CARRIED

Zoning Amendment
Bylaw (Liveaboard Uses)
No. 2051, 2014

Council took no action regarding Zoning Amendment Bylaw Liveaboard Uses) No. 2051, 2014.

OTHER BUSINESS

2010 Games Operating
Trust Society
Appointment
-certified resolution to

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Mike Furey be nominated as a member of the 2010 Games Operating Trust Society until the conclusion of the next annual General meeting or until such nomination is revoked, whichever is earlier, pursuant to bylaw 2.3 of the 2010 Games Operating Trust Society bylaws.

CARRIED

RZ 1090

FESTIVALS,EVENTS AND

AUXILIARY LIQUOR RETAIL USES

Council Presentation

May 20th 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



Background

- Whistler hosts over 50 festivals and events each year
- Festivals and events typically include auxiliary activities such as retail, food & beverage, and liquor sales.
- The province is proposing to amend liquor control regulations to allow the sale of packaged, BC-made alcohol at Farmers Markets.
- Whistler's Zoning Bylaw and Business Regulation Bylaw apply to festivals and events and packaged liquor sales:
 - The Zoning Bylaw restricts packaged liquor sales to nine liquor store sites within the RMOW.
 - The Business Regulation Bylaw prohibits retail sales, canvassing and soliciting in public places except as permitted by RMOW.
 - Event activities within core areas location are subject to various zoning, regulations.

Business Regulation and Zoning Amendment Bylaws

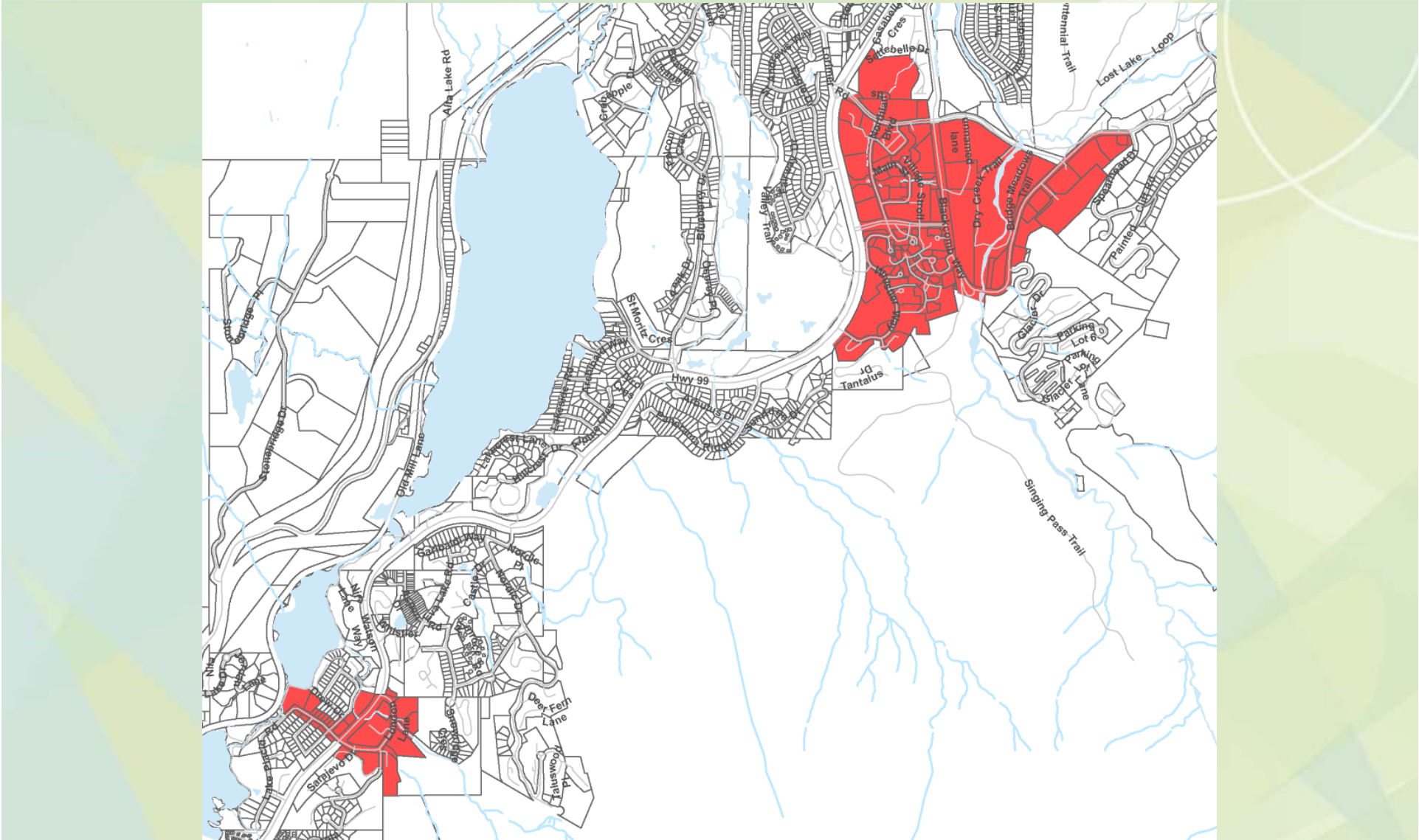
Zoning Bylaw

1. To create a definition for “outdoor assembly” and generally allow this use in the areas designated in the OCP as core commercial areas.
2. To allow retail sales of packaged liquor as an auxiliary use to approved outdoor assembly uses in Olympic Plaza and the Upper Village Stroll.

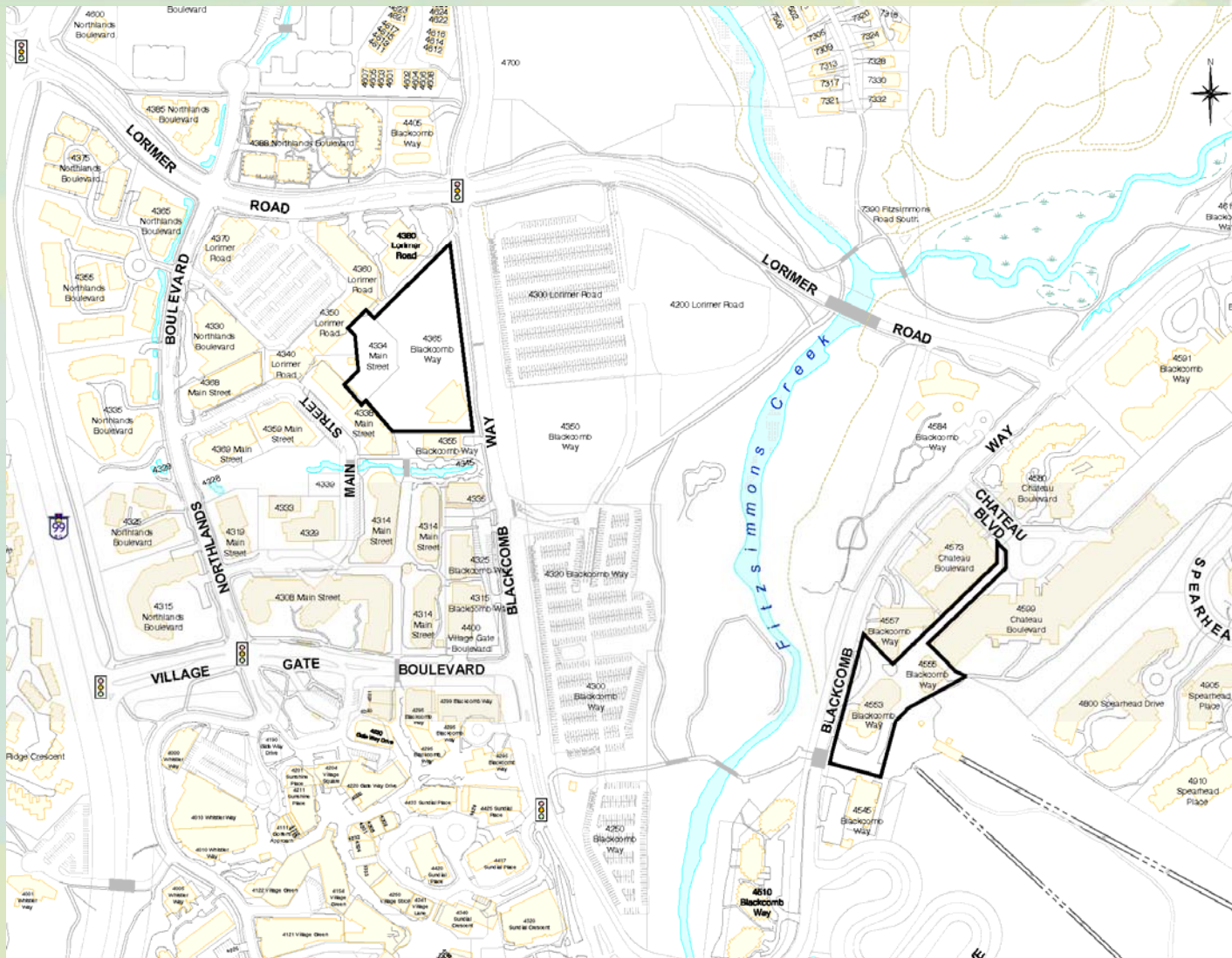
Business Regulation Bylaw

1. To allow the limited sale of retail goods in public places, when done as part of an approved outdoor assembly use.
2. To allow packaged liquor sales in Olympic Plaza and the Upper Village Stroll, when done as part of an approved outdoor assembly use (e.g. Farmers Market).

Areas Designated 'Core Commercial' in OCP



Proposed Event-Related Packaged Liquor Sales Sites



Planning & Policy Review

- Anticipates changes to liquor regulations which will benefit Whistler by complimenting existing and proposed festivals and events.
- Better aligns Zoning Bylaw and Business Regulation Bylaw with OCP for ease of use.
- Encourages festivals and events in villages which is consistent with the OCP policies
- Consistent with the intent of the OCP and Whistler 2020; Supports the Whistler Experience

Recommendation

That Council considers giving first and second reading to Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014;

That Council considers giving first, second and third readings to Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014; and further

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: May 20, 2014

REPORT: 14-056

FROM: Resort Experience

FILE: 1090

SUBJECT: FESTIVALS AND EVENTS AND AUXILIARY LIQUOR RETAIL USES

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council considers giving first and second reading to Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014;

That Council considers giving first, second and third readings to Business Regulation Amendment Bylaw (Auxiliary Retail) No. 2056, 2014; and further

That Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Festivals and Events and Auxiliary Liquor Retail) No. 2055, 2014.

REFERENCES

Appendix A: Location Map –Outdoor Assembly Core Commercial Areas

Appendix B: Location Map - Map showing proposed areas to allow auxiliary packaged liquor sales

PURPOSE OF REPORT

The purpose of this report is to present proposed amendments to the Zoning Bylaw and the Business Regulation Bylaw to provide for anticipated changes to provincial liquor regulations that complement Whistler's festivals, events and animation (FE&A) initiatives and their associated land uses. Corollary amendments are proposed that provide common zoning and business regulations for FE&A related uses, including auxiliary retail activities, for all properties located within Whistler's core commercial areas (Whistler Village and Whistler Creek). These amendments provide for historic and current FE&A activities and provide consistent general regulations across all properties in these areas, which have various zone designations. The amendment bylaws are presented for Council consideration of initial readings, and for Council to authorize scheduling of a public hearing for the zoning amendment bylaw.

DISCUSSION

Background

Whistler hosts over 50 festivals and events each year ranging in scale and complexity from small, single-attraction events of a few hundred people, to large-scale, multifaceted events attracting thousands. The number varies on a year-to-year basis and does not include private events such as conferences or weddings.

Festivals and events have considerations subject to zoning regulations. Many festivals and events also include related activities such as retail, liquor sales, food and beverage, temporary recreational facilities and product sampling which are also within the scope of the Zoning Bylaw.

Other types of outdoor, event-like, activities are subject to zoning and business regulations as well. These include storefront retail, sidewalk sales, and promotional activities.

Retail packaged liquor sales: new provincial liquor regulations

The Province of BC is moving forward with changes to liquor control legislation. These changes include new rules to allow the sale of packaged, BC-made, wine, beer, cider and spirits at outdoor markets and festivals. Interest has already been expressed regarding the potential sale of VQA wines at the Whistler Farmers Market. The RMOW's Zoning Bylaw strictly limits retail liquor sales to nine established liquor stores within the municipality. Anticipating the changes to provincial liquor rules, staff began working on amendments to the zoning bylaw that would accommodate event-related types of retail liquor sales.

Staff's recommended approach to regulating these new types of retail liquor sales, is to amend the Zoning Bylaw to allow such sales, but only when inherently related to a festival or event. For example, retail sales of BC-made liquor could be sampled and sold at a farmers market, beer festival or wine festival. Retail sales that are indirectly related to the event, such as sales by liquor sponsors, or third party packaged liquor sales, would remain prohibited under the proposed changes. The proposed changes would not change the rules for open liquor sales for consumption during an event which may be permitted through provincial and municipal liquor licensing.

Festivals and Events Zoning

In drafting the proposed amendments to allow retail liquor sales, staff reviewed existing zoning regulations in relation to festivals and events. The Zoning Bylaw contains no definition of "festivals and events" nor does it contain another definition that clearly includes festivals and events. With events occurring in different zones, each with its own list of permitted uses, each event must be reviewed on a case-by-case basis to determine what permitted use includes the event.

The proposed approach to event-related retail liquor sales requires that such sales are "ancillary or subordinate and customarily incidental", to a use that is permitted in a zone. Thus for clarity, consistency of interpretation and ease of use, the Zoning Bylaw is proposed to be amended to create a permitted land use that clearly includes festival and event uses and to define where festivals and events are permitted. The OCP provides specific guidance in this regard and established practices under the FE&A program are aligned with the direction of the OCP. Subsequently, the proposed amendments have been drafted to be consistent with the OCP policies listed in this report and to align with the existing approach to managing and permitting festivals and events.

Staff are proposing a twofold amendment to the Zoning Bylaw:

1. To create a definition for "outdoor assembly" and generally allow this use in the areas designated in the OCP as core commercial areas. This includes Whistler Creek and Whistler Village (Appendix A). The definition for "outdoor assembly" reads as follows:

"outdoor assembly" means a temporary gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, educational, recreational and philanthropic purposes outdoors or in temporary structures and includes the temporary sale of liquor as an auxiliary use;

2. To allow retail sales of liquor as an auxiliary use to approved outdoor assembly uses in Olympic Plaza and the Upper Village Stroll (Appendix B).

Festivals and events: Business Regulation Bylaw

The Business Regulation Bylaw does not restrict festivals and events or liquor retail. However, it prohibits canvassing and the sale of goods in public places, the latter of which is often associated with festivals and events subject to limitations imposed by the municipality through Special Events permitting generally limiting the goods to directly related event merchandise. The proposed amendments to the Zoning Bylaw require, as corollary, the following amendments to the Business Regulation Bylaw:

1. To allow the limited sale of retail goods in public places, when done as part of a festival or event.
2. To allow packaged liquor sales in Olympic Plaza and the Upper Village Stroll, when done as part of a special event.

Although retail and packaged liquor sales directly related to festivals and events would be authorized under the amended Business Regulation Bylaw, soliciting and canvassing would remain a prohibited activity.

Proposed Bylaws

The proposed amendment bylaws provide the exact wording of the proposed changes and include maps of the areas that will be zoned to allow outdoor assembly and event-related liquor retail.

Festivals and events are integral to the Resort Experience. The core commercial areas where these uses will be directed are the most desirable and appropriate locations for festivals and events. The anticipated changes to provincial liquor regulations are conducive to the Resort Experience, which warrants subsequent amendments to municipal bylaws to capitalize on these changes. The proposed bylaws are consistent with the goals and objectives of Whistler 2020 and the Official Community Plan.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts Culture & Heritage	<ol style="list-style-type: none"> 1. The community is passionate about arts, culture and heritage, which have become a part of Whistler's spirit and community life, and is alive with creative energy and aesthetic appreciation. 2. A range of authentic and creative arts, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors. 3. Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy. 	Zoning for festivals and auxiliary liquor sales aligns with strategies to attract and facilitate a diverse range of festivals and events that are desirable for residents and visitors alike.
Visitor Experience	<ol style="list-style-type: none"> 1. Community members and organizations work collectively to ensure exceptional experiences that exceed visitor 	

	<p>expectations.</p> <p>2. Visitors perceive Whistler products, services and activities to be excellent value.</p> <p>3. A diverse range of year-round activities is developed and offered.</p> <p>4. Visitors choose Whistler to actively participate in recreation, learning, and cultural opportunities.</p>	
Economic	<p>1. Whistler has a diversified and year-round tourism economy</p> <p>2. Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adapts to changing external conditions.</p>	<p>Festivals and events are essential to a diverse, year-round tourism economy. New festivals, represent economic opportunities requiring a supportive and efficient regulatory framework.</p>

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

Official Community Plan

Objective/Policy	Comments
Objective 5.5.1. Support the accommodation and commercial sectors through economic diversification compatible with Whistler's four-season tourism economy.	Ensuring zoning is in place for a wide range of festivals and events will enable event facilitation and attraction, supporting the tourism economy.
Policy 5.5.1.1. Support increased cultural, arts, entertainment, events, sport tourism and health and wellness opportunities that diversify our tourism-based economy.	
Policy 5.5.1.6. Support shoulder-season tourism development opportunities based on recreation, arts events and festivals that use existing infrastructure.	
Objective 4.9.1. Reinforce Whistler Village as Whistler's Town Centre, functioning as the commercial and social hub of the resort community and focused on delivering a dynamic and authentic resort experience for residents and visitors.	Proposed amendments will enable festival and event use of squares in the core commercial areas and public spaces.
Policy 4.9.1.6. Facilitate use of the Village's network of squares, plazas and other public spaces for festivals, events and other programming, consistent with the characteristics of each location.	
Policy 4.9.3.6. Encourage programming at the Creekside base to enhance the visitor experience and strengthen Whistler Creek as a resort community destination.	

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 Official Community Plan contains clear direction to permit a wide variety festivals and events in the Whistler's core commercial areas (Whistler Village and Whistler Creek). The proposed amendments better align the Zoning Bylaw and Business Regulation Bylaw to the direction established by the Official Community Plan and anticipate advantageous provincial liquor policy changes. The bylaw changes position the municipality and event providers to take advantage of new opportunities under provincial liquor laws. Approving the proposed amendments will be in keeping with the goal of attracting, promoting, and hosting festivals and events. Staff recommend approving the bylaws as proposed.

Respectfully submitted,

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For:
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