



# WHISTLER

## AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL  
TUESDAY, MAY 20, 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 (Marihuana Production) No. 2042, 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 (Marihuana  
Production) No. 2042,  
2014

### **PURPOSE OF ZONING AMENDMENT BYLAW (Marihuana Production) NO. 2042, 2014**

In general terms, the purpose of the proposed Bylaw is to define marihuana production and distribution within "Zoning and Parking Bylaw 303, 1983". The IL2 (Light Industrial Two) Zone will be amended to allow for marihuana production and distribution at Units 111, 112 & 113 – 1330 Alpha Lake Road. The building floor area for all three units will also be restricted to 900 square metres total.

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 (Marihuana Production) No. 2042, 2014		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing		Notice of Public Hearing scheduled for May 20, 2014
Council Meeting Minutes	6-May-14	Minutes of regular meeting of Council
Bylaw	6-May-14	Revised Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 with first and second readings approved by Council
Council Report 14-046	6-May-14	Administrative Report to Council requesting consideration of rescinding second reading of proposed bylaw, consider second reading of revised bylaw and authorize a public hearing
Notice of Postponement of Public Hearing		Notice of Postponement of Public Hearing scheduled for April 15, 2014. Public Hearing postponed due to requested increase in square footage
Notice of Public Hearing		Notice of Hearing scheduled for April 15, 2014
Council Minutes	1-Apr-14	Minutes of regular meeting of Council
Council Minutes	18-Mar-14	Minutes of regular meeting of Council
Bylaw	18-Mar-14	Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 with first and second readings approved by Council
Bylaw	18-Mar-14	Business Regulation Amendment Bylaw No. 2043, 2014 with first, second and third readings approved by Council.
Council Report 14-028	18-Mar-14	Administrative Report to Council requesting consideration of first and second reading, permission to schedule a public hearing for Bylaw 2042 and consideration of first, second and third reading of Business Regulation Amendment Bylaw No. 2043, 2014
Presentation Slides	18-Mar-14	Presentation slides from report to Council
Correspondence		Correspondence will be added to the package as it is received



**THE RESORT MUNICIPALITY OF WHISTLER**

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

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

**NOTICE OF PUBLIC HEARING**

**TUESDAY, MAY 20, 2014 – 6:00 P.M.**

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

**ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014**

**SUBJECT LANDS: Units 111, 112 and 113 – 1330 Alpha Lake Road**

More specifically these lands are described as Strata Lots 11, 12 & 13, District Lot 1754, Plan BCS4326, Group 1, NWD, PID: 028-754-166, 028-754-174 & 028-754-182. The subject lands are identified on the map attached to this notice.

**PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to define marihuana production and distribution within “Zoning and Parking Bylaw 303, 1983”. The IL2 (Light Industrial Two) Zone will be amended to allow for marihuana production and distribution at Units 111, 112 & 113 – 1330 Alpha Lake Road. The building floor area for all three units will also be restricted to 900 square metres total.

**INSPECTION OF DOCUMENTS:**

A copy of the proposed Bylaw and relevant background documents may be inspected on our website at [www.whistler.ca/events](http://www.whistler.ca/events) (see May 20, 2014), or visit the Reception Desk at Municipal Hall, 4325 Blackcomb Way, Whistler, BC, during regular office hours of 8:00 a.m. to 4:30 p.m., Monday to Friday (statutory holidays excluded).

**PUBLIC PARTICIPATION:**

All persons, who believe their interest in the property might be 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 May 20, 2014):

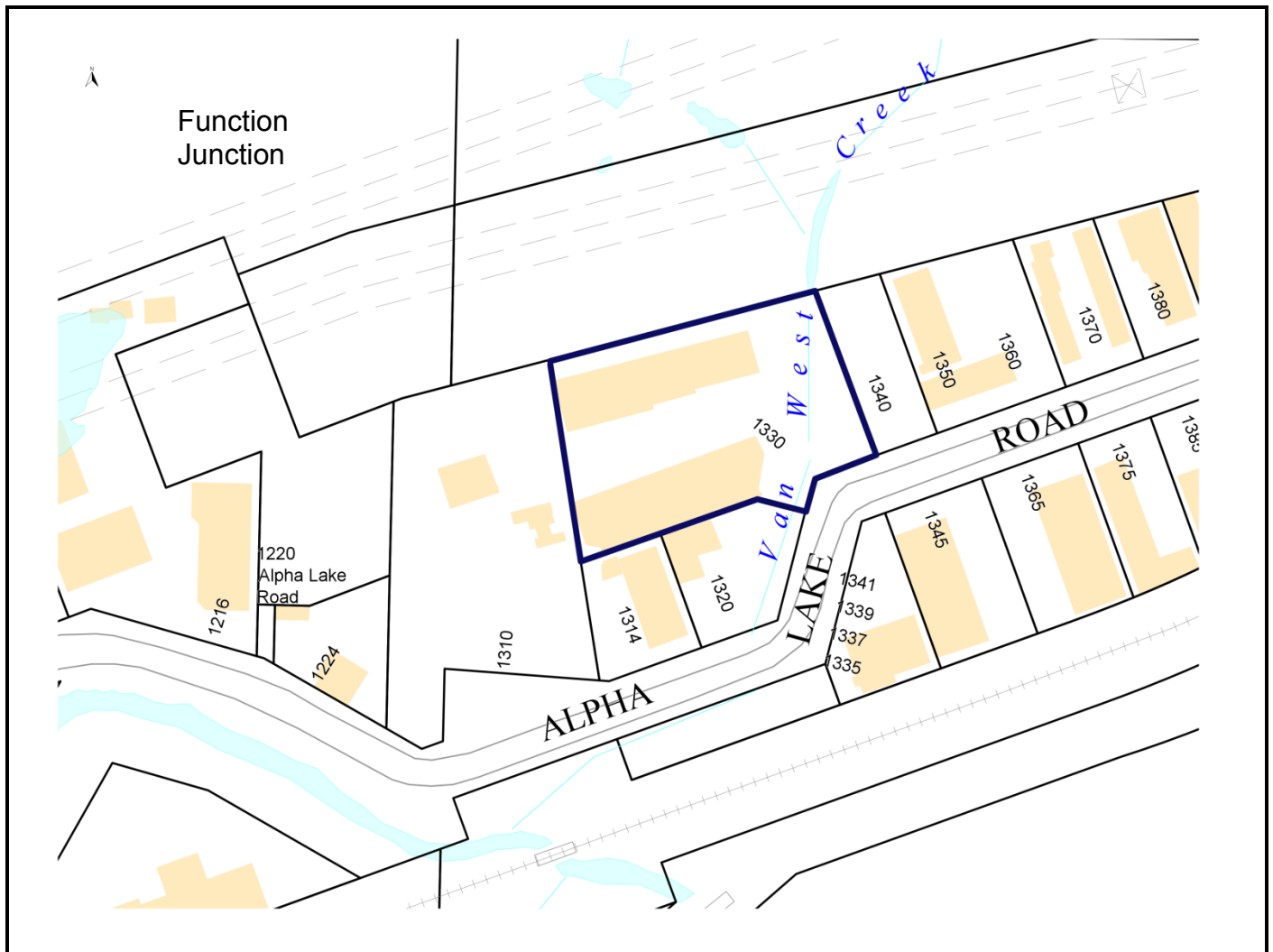
**Email:** [corporate@whistler.ca](mailto:corporate@whistler.ca)  
**Fax:** 604-935-8109  
**Hard Copy:** Legislative Services Department  
4325 Blackcomb Way  
Whistler BC V0N 1B4

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

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

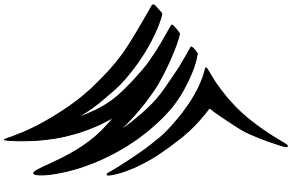
Shannon Story  
Corporate Officer

**ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014**  
**SUBJECT LANDS – 111, 112 & 113 – 1330 ALPHA LAKE ROAD**



The following Public Hearings will be held on May 20, 2014 starting at 6:00 p.m. in the following order:

1. Zoning Amendment Bylaw (RM48 – 2007 Karen Crescent) No. 2053, 2014
2. Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014
3. Zoning Amendment Bylaw (Liveaboard Uses) No. 2051, 2014



# WHISTLER

## MINUTES

### REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, MAY 6, 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: J. Crompton, J. Faulkner, J. Grills, D. Jackson, A. Janyk,  
and R. McCarthy

Absent: Councillor J. Grills

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  
Acting Director of Human Resources, A. Warzybok  
Corporate Officer, S. Story  
Manager of Communications, M. Comeau  
Manager of Planning, M. Kirkegaard  
Manager of Strategic Alliances, J. Rae  
Manager of Village Animation & Events, B. Andrea  
Planner, F. Savage  
Planner, R. Brennan  
Planner, A. Antonelli  
Planning Technician, R. Licko  
Planning Analyst, K. Creery  
Recording Secretary, A. Winkle

RCMP Staff Sergeant S. LeClair

#### **ADOPTION OF AGENDA**

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

**That** Council adopt of the Regular Council agenda of May 6, 2014, amended  
to move the Policy Report moved to prior to the Information Report.

CARRIED

#### **ADOPTION OF MINUTES**

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

That Council adopt the Regular Council minutes of April 15, 2014.

CARRIED

## **PUBLIC QUESTION AND ANSWER PERIOD**

*There were no questions from the public.*

## **PRESENTATIONS/DELEGATIONS**

Mature Action  
Community Second  
Annual Town Hall  
Meeting Feedback

A presentation was given by Sue Lawther, President, regarding feedback from the Mature Action Community's Second Annual Town Hall Meeting.

IRONMAN Volunteers

A presentation was given by Donna Savage, Volunteer Director regarding IRONMAN volunteers.

Building Season  
Communication

A presentation was given by Michelle Comeau, Manager of Communications regarding the RMOW's Building Season communication.

RZ 1069 - Mountainview  
Drive Applicant  
Presentation

*At 6:02 p.m. Mayor Nancy Wilhelm-Morden declared a conflict of interest due to the involvement of one of her law partners and left the meeting.*

*Councillor A. Janyk took over as Chair of the meeting.*

A presentation was given by Craig Ross of Whistler Alpine Development regarding Rezoning Application 1069 on Mountainview Drive.

*At 6:41 p.m. Mayor Nancy Wilhelm-Morden returned.*

## **MAYOR'S REPORT**

Mayor Wilhelm-Morden reported that over the month of May homeowners are encouraged to protect their properties against wildfire. The FireSmart standards recommend garden debris is removed from yards, and that the Whistler Fire Rescue Service perform a hazard assessment. The FireSmart Homeowners Manual is available on [whistler.ca](http://whistler.ca) contains recommendations about steps that can be taken to protect your property. In addition, garden debris can be disposed at Nesters Waste Depot from May 17th to 19th at no cost. This year, the new Fire Protection and Fireworks Bylaw No. 2046 allows for the burning of garden debris for a limited timeframe once a permit is obtained from the Whistler Fire Rescue Service. More information is available at [whistler.ca/firesmart](http://whistler.ca/firesmart).

Mayor Wilhelm-Morden reported that this week is Emergency Preparedness Week. She reminded everyone that during a crisis emergency responders may take 72 hours, or three days, to reach most of the community and resume services. Each family is encouraged to have a plan and supplies to last at least three days. Over Emergency Preparedness Week there will be two talks at the library and booths will be at the Pitch-In Day BBQ and Nesters Market, and there will be two talks at the library. For more information, please visit [whistler.ca](http://whistler.ca)

Mayor Wilhelm-Morden reported that this week is Drinking Water Week and the B.C. Waste and Water Association invites everyone to "Get to know your H2O". The B.C. Waste and Water Association is holding their 42nd Annual

Conference and Trade Show in Whistler. During the conference, participants were offered a tour of Whistler's water system from the 21 Mile Creek Intake to the Wastewater Treatment Plant. The conference was one of the largest trade shows of its kind in western Canada. The Resort Municipality of Whistler works hard to ensure the high water standards in Whistler. The wastewater treatment plant is one of the most advanced in North America.

Mayor Wilhelm-Morden reported that this past Saturday, May 3, was the annual Pitch-In Day and participants collected 1.4 tonnes of litter. All the recyclables collected were donated to the Whistler Scouts, who were holding a bottle drive that day at the Nester's bottle depot. Mayor Wilhelm-Morden thanked to all of the individuals and community groups who pitched in this year.

Mayor Wilhelm-Morden reported that she met with nine representatives from Rovaniemi, Finland, on Thursday at the Lost Lake PassivHaus and then again on Friday for lunch. Rovaniemi is a resort town as well as the home of Santa Claus. It is located on the arctic circle and has some industry, and its largest employer in that town is Bombardier who manufactures snowmobiles. The representatives heard of Whistler through the 2010 Games.

Mayor Wilhelm-Morden reported that she greeted two groups of Rotary delegates from districts 5050 and 5020 on May 2. Between the two groups they had almost 700 Rotarians and their guests. The groups were from Washington and British Columbia and many were new to Whistler. She commented on the good work that Rotarians do around the world, as we know from the two clubs in Whistler.

Mayor Wilhelm-Morden reported that tonight, after this council meeting, she will be welcoming 225 representatives from the food industry to Whistler for the Tree of Life 9th Annual Sales and Marketing meeting. They specialize in specialty foods and natural products.

Mayor Wilhelm-Morden reported that on May 7 the Lower Mainland Local Government Association will be holding their two-day conference in Whistler. This year's theme is how external economic pressures affect local government. Mayor Wilhelm-Morden reported that she is delighted to welcome delegates from our municipal government partner organizations return to Whistler. She will be participating in the two-day conference and the banquet on Thursday night.

Mayor Wilhelm-Morden reported that on May 7 she will be welcoming EcoRun, a group of 22 vehicles, with their drivers and manufacturers, will visit Whistler to raise awareness about fuel efficient and emission-reducing vehicles. The group will travel from Vancouver to Pemberton and back to Vancouver again.

Mayor Wilhelm-Morden reported that at this morning's closed meeting of Council Bob Brett was appointed to the Coat of Arms Committee as a member-at-large.

Mayor Wilhelm-Morden reported that municipal line painting crews will begin work starting in the middle of May. The crews will be repainting the lines that have been worn away by winter snow clearing. Crews will start will crosswalks and stop bars in school zones and in the Village area. The road surface needs to be dry and 10 degrees Celsius for the line paint to work properly, so this work is weather dependent. Mayor Nancy Wilhelm-Morden asked that everyone be aware of the crews and thanked the community for their cooperation.

Mayor Wilhelm-Morden reported that The Squamish Lil'wat Cultural Centre received the 2014 Aboriginal Retail Award from Aboriginal Tourism British Columbia at the International Aboriginal Tourism Conference in April. The award commended the retail team's work to support First Nations artists and cultural revitalization activities at the Gallery and Gift Shop and at their online store.

Mayor Wilhelm-Morden reported that Sarah Burke was entered into Canada's Sports Hall of Fame for her contribution to skiing. Sarah was a world champion, four-times X Games gold medalist, and the first woman to land a 720-, 900- and 1080-degree rotation jump in competition. She is known for championing women's skiing for her entire career, most famously for advocating for the inclusion of women's halfpipe in the Olympics. We are very proud to have had Sarah live in the Sea-to-Sky corridor, and to see her honoured in the Sports Hall of Fame.

Mayor Nancy Wilhelm-Morden reported that she attended the Mayors' Caucus Meeting in Cranbrook, along with 50-60 other mayors. She reported that she finds the events are informative and good for networking, and she believes this group has influence with the provincial government. Whistler is hosting the next Mayors' Caucus meeting in September in advance of UBCM.

#### **POLICY REPORTS**

Family-Friendly Policy:  
Maternity and Parental  
Leave

Report No. 14-048  
File No. Vault

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

**That** Council adopt the Family-Friendly Policy: Maternity and Parental Leave attached as Appendix "A" to Policy Report No. 14-048.

CARRIED

#### **INFORMATION REPORTS**

May Long Weekend  
Committee Update  
Report No. 14-039  
File No. 2100

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

**That** Information Report No.14-039 be received.

CARRIED



## ADMINISTRATIVE REPORTS

Emergency  
Preparedness Week  
May 4-10  
Report No. 14-040  
File No. 3009.1

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

**WHEREAS** Whistler recognizes the importance of emergency preparedness;

**WHEREAS** the safety of our community is the responsibility of each and every one of us and we must prepare for unavoidable emergency events.

**That** Council proclaim May 4-10, 2014 "Emergency Preparedness Week" in Whistler.

CARRIED

LLR 1181- Millennium  
Place Addition of  
Licensed Area  
Report No. 14-041  
File No. LLR 1181

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

**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 in support of an application from the Whistler Arts Council to add the Franz Wilhelmsen Hall theatre to the licensed area of Millennium Place liquor primary license No. 300585.

CARRIED

RZ 1078 – 2007 Karen  
Crescent  
Redevelopment  
Report No. 14-042  
File No. RZ 1078

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

**That** Council consider giving first and second readings to 'Zoning Amendment Bylaw (RM48 – 2007 Karen Crescent) No. 2053, 2014';

**That** Council authorize the Mayor and Corporate Officer to schedule a public hearing for 'Zoning Amendment Bylaw (RM48 – 2007 Karen Crescent) No. 2053, 2014', and to advertise for same in the local newspaper;

**That** Council authorize the Mayor and Corporate Officer to execute two Section 219 covenants on the title of the subject property:

- a) A covenant requiring development consistent with the objectives of the Green Building Policy, as per the Green Building Checklist submitted with Zoning Amendment Application No. 1078; and,
- b) A covenant establishing flood protection measures as per the Kerr Wood Leidal Associates Ltd Technical Memorandum titled '2007-2011 Karen Crescent – Proposed Redevelopment, Whistler, B.C., Flood Hazard Review and Protective Measures Assessment,' dated April 17, 2014; and further,

**That** Council direct staff to advise the applicant that before consideration of adoption of 'Zoning Amendment Bylaw (RM48 – 2007 Karen Crescent) No. 2053, 2014', the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

- a) Provide security for a sidewalk on the Karen Crescent frontage of the property in the value of 150% of the value of the sidewalk.

CARRIED

RZ 1070 – 8100 Alpine  
Way Rezoning  
Report No. 14-043  
File No. RZ 1070

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

**That** Council endorse the continuing review of Rezoning Application No. RZ 1070, 8100 Alpine Way.

CARRIED

RZ 1069 – Upper  
Mountainview Drive  
Land Use Contract  
Discharge and Rezoning  
Report No. 14-044  
File No. RZ 1069

*At 7:15 p.m. Mayor Nancy Wilhelm-Morden declared a previously stated conflict of interest and left the meeting.*

*Councillor A. Janyk took over as Chair of the meeting.*

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

**That** Council support the continuing review of Rezoning Application RZ 1069.

CARRIED

*At 7:22 p.m. Mayor Nancy Wilhelm-Morden returned.*

RZ 1088 – Zoning  
Amendment Bylaw (Live  
Aboard Uses) No. 2051,  
2014  
Report No. 14-045  
File No. RZ 1088,  
7600.2

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

**That** Council consider giving first and second readings to Zoning Amendment Bylaw (Live Aboard Uses) No. 2051, 2014, and further;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Live Aboard Uses) No. 2051, 2014.

CARRIED

*At 7:28 p.m. Mayor Nancy Wilhelm-Morden excused herself from the meeting to meet with the Tree of Life delegates, and left the meeting.*

*Councillor A. Janyk continued as Chair for the remainder of the meeting.*

RZ 1085 – 4890 Glacier  
Dr. – Rezoning Proposal  
for Whistler/Blackcomb  
Base 2 Offices and  
Workshops  
Report No. 14-047  
File No. RZ 1085

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

**That** Council endorse further review of Rezoning Application No. 1085; and further,

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

CARRIED

RZ 1081 – Zoning  
Amendment Bylaw  
(Marihuana Production)  
No. 2042, 2014  
Report No. 14-046  
File No. RZ 1081, RZ  
1082, and 7600.1

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

**That** Council consider rescinding second reading to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;

**That** Council consider second reading to revised Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014, and further;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014.

CARRIED

### MINUTES OF COMMITTEES AND COMMISSIONS

May Long Weekend  
Committee

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

**That** minutes of the May Long Weekend Committee meeting of March 10, 2014 be received.

CARRIED

Advisory Design Panel

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

**That** minutes of the Advisory Design Panel Committee meeting of March 19, 2014 be received.

CARRIED

### BYLAWS FOR FIRST AND SECOND READINGS

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

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

**That** Council give first and second readings to Zoning Amendment Bylaw (Liveaboard Uses) No. 2051, 2014.

CARRIED

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

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

**That** Council give first, second and third readings to Zoning Amendment Bylaw (RM48 – 2007 Karen Crescent) No. 2053, 2014.

CARRIED

### **BYLAW RESCINDING SECOND READING**

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

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

**That** Council rescind second reading of Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014.

CARRIED

### **BYLAW FOR SECOND READING AS REVISED**

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

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

**That** Council give second reading of Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014.

CARRIED

### **BYLAW FOR THIRD READING**

Zoning Amendment  
Bylaw (CC1 Zone –  
Clocktower Hotel) No.  
2045, 2014

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

**That** Council give third reading of Zoning Amendment Bylaw (CC1 Zone – Clocktower Hotel) No. 2045, 2014

CARRIED

*“Zoning Amendment Bylaw (CC1 Zone – Clocktower Hotel) No. 2045, 2014” was referenced to as “Zoning Amendment Bylaw (4341 Village Lane – Clocktower Hotel) No. 2045, 2014” on the agenda for this meeting.*

### **BYLAWS FOR ADOPTION**

Five-Year Financial Plan  
2014-2018 Bylaw No.  
2050, 2014

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

**That** Council adopt Five-Year Financial Plan 2014-2018 Bylaw No. 2050, 2014.

CARRIED

Tax Rate Bylaw No.  
2047, 2014

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

**That** Council adopt Tax Rate Bylaw No. 2047, 2014.

CARRIED

Sewer Tax Bylaw No.  
2048, 2014

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

**That** Council adopt Sewer Tax Bylaw No. 2048, 2014.

CARRIED

Water Tax Bylaw No.  
2049, 2014

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

**That** Council adopt Water Tax Bylaw No. 2049, 2014.

CARRIED

Zoning Amendment  
Bylaw (LR6 Zone – 5678  
Alta Lake Road) No.  
2039, 2014

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

**That** Council adopt Zoning Amendment Bylaw (LR6 Zone – 5678 Alta Lake Road) No. 2039, 2014.

CARRIED

### OTHER BUSINESS

*There were no items of Other Business.*

### CORRESPONDENCE

LNG Plant at Woodfibre  
in Howe Sound  
File No. 3009

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

**That** correspondence from Mona Benge, dated April 9, 2014, forwarding a letter from Eoin Finn regarding the proposed LNG Plant at Woodfibre in Howe Sound be received and referred to staff.

CARRIED

Missing Children's  
Month and Missing  
Children's Day  
Proclamation Requests  
File No. 3009.1

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

**That** correspondence from Crystal Dunahee, President of Child Find BC dated April 16, 2014, requesting Council to proclaim May, 2014 as "National Missing Children's Month" and May 25, 2014 as "National Missing Children's Day" be received and "National Missing Children's Day" be proclaimed.

CARRIED

Falun Dafa Month  
Proclamation Request  
File No. 3009.1

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

**That** correspondence from Sue Zhang of the Falun Dafa Organization of BC, dated April 17, 2014, requesting May, 2014 be proclaimed as "Falun Dafa Month" and invited Council to attend the May 4, 2014 celebration be received.

CARRIED

Community Foundation  
of Whistler Thank You  
File No. 3009

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

**That** correspondence from Carol Coffey, Executive Director, dated April 22, 2014, thanking the RMOW for use of municipal meeting rooms for the Environmental Legacy Grants Advisory Committee meeting be received.

CARRIED

RCMP Complaint  
File No. 3009

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

**That** correspondence from Ron Shuttleworth, dated April 22, 2014, regarding a complaint in RCMP behavior be received and referred to staff.

CARRIED

Light it Orange Initiative  
Participation Request  
File No. 3009

Moved by Councillor --  
Seconded by Councillor R. McCarthy

**That** correspondence from Jennifer Scott, dated April 22, 2014, requesting Council participate in the Light It Orange initiative by illuminating Municipal Hall with orange spotlights on May 5, 2014 be received and referred to staff.

CARRIED

### **ADJOURNMENT**

Moved by Councillor J. Crompton

**That** Council adjourn the May 6, 2014 Council meeting at 7:50 p.m.

CARRIED

---

MAYOR: N. Wilhelm-Morden

---

CORPORATE OFFICER: S. Story

**RESORT MUNICIPALITY OF WHISTLER  
ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION)  
NO. 2042, 2014**

**A Bylaw to amend Zoning and Parking Bylaw No. 303, 1983**

---

**WHEREAS** the 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 require the provision of parking spaces and loading spaces for uses, buildings and structures;

**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 (Marihuana Production) No. 2042, 2014".
2. Section 2 Definitions of the Zoning and Parking Bylaw No. 303, 1983 is amended by adding the following definition in appropriate alphabetical order:

"marihuana production" and "marihuana distribution" mean, respectively, the growing and distribution of any plant that contains any of the substances listed in Schedule II to the *Controlled Drugs and Substances Act* (Canada), and includes any research or development activity associated with such uses."
3. Section 4 General Prohibitions of the bylaw is amended by adding the following:

"No person shall use any land or building for marihuana production or marihuana distribution, except as specifically permitted by this Bylaw."
4. Section 9 Industrial Zones is amended in respect of the IL2 Light Industrial Two Zone by adding the following as s. 2.1(t) under the heading "Permitted Uses", and by making any required consequential changes to subsections 2.1(r) and (s):

"on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, the production and distribution of marihuana under a licence issued pursuant to the Marihuana for Medical Purposes Regulation (Canada) provided that the total amount of building floor area used for all such uses shall not exceed 900 square metres."

GIVEN FIRST READING this 18<sup>th</sup> day of March, 2014.

GIVEN SECOND READING this 18<sup>th</sup> day of March, 2014.

SECOND READING RECINDED this 6<sup>th</sup> day of May, 2014.

GIVEN SECOND READING AS REVISED this 6th day of May, 2014.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this \_\_\_ day of \_\_\_\_\_, 2014.

GIVEN THIRD READING this \_\_\_ day of \_\_\_\_\_, 2014.

APPROVED by the Minister of Transportation this \_\_\_ day of \_\_\_\_\_, 2014.

ADOPTED by the Council this \_\_\_ day of \_\_\_\_\_, 2014.

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

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

I HEREBY CERTIFY that this is a  
true copy of Zoning Amendment  
Bylaw (Marihuana Production) No.  
2042, 2014.

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





## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** May 6, 2014

**REPORT:** 14-046

**FROM:** Resort Experience

**FILE:** RZ1081 & 1082, 7600.1

**SUBJECT:** RZ 1081 and RZ 1082 - ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION

**That** Council consider rescinding second reading to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;

**That** Council consider second reading to revised Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014, and further;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014.

### REFERENCES:

Appendix A - Location Map

### PURPOSE OF REPORT

This report presents a proposed zoning amendment bylaw to limit the location and size of facility where federally approved production and distribution of marihuana for medical purposes can occur within Whistler. The proposed bylaw is presented for reconsideration of second reading for a minor revision to clarify the maximum density provision of the bylaw. The report also requests Council authorize the scheduling of a public hearing regarding the zoning amendment bylaw.

### DISCUSSION

#### Background

Zoning Amendment Bylaw (Marihuana Production) was given first and second readings at the March 18<sup>th</sup> Council meeting. Subsequent to the Council meeting the public hearing was scheduled for April 15<sup>th</sup>, 2014. The ads were placed with the Pique Newsmagazine for April 3<sup>rd</sup> and 10<sup>th</sup> but the 2<sup>nd</sup> ad scheduled for the April 10<sup>th</sup> edition of the Pique was mistakenly omitted from that edition of the Pique.

Staff had to postpone the public hearing because the statutory public notice requirement for public hearings was not met. Ads for public hearings must be placed in at least 2 consecutive issues of a newspaper and the last public hearing ad is to appear not less than 3 and not more than 10 days before the public hearing.

In addition, there has been a clarification on the density provision of the bylaw. The total floor area of the marihuana production and distribution was to be limited to the maximum development potential for the three units located at 111, 112 & 113 – 1330 Alpha Lake Road. This was initially estimated and included in the bylaw given first and second reading on March 18, 2014 as 560 square metres. However, the maximum gross floor area of the three units has been clarified to be 900 square metres as permitted by the underlying zoning.

Staff recommends rescinding 2<sup>nd</sup> reading of the zoning amendment bylaw given March 18<sup>th</sup>, and that Council consider the revised total amount of building floor area used for marihuana production and distribution to not exceed 900 square metres. The 900 square metres would not exceed the maximum gross floor area permitted in the IL2 zone.

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

The following amendments are proposed to the Zoning Bylaw to implement Council's November 19, 2013 direction to staff with the revision of the total amount of building floor area from 560 square metres to 900 square metres:

- A new definition is proposed to define marihuana production and distribution as follows: "marihuana production" and "marihuana distribution" mean, respectively, the growing and distribution of any plant that contains any of the substances listed in Schedule II to the Controlled Drugs and Substances Act (Canada), and includes any research or development activity associated with such uses."
- Limit marihuana production and distribution to the existing facility at 111, 112 and 113 - 1330 Alpha Lake Road with building permits issued under existing zoning. As such, the IL2 zone is proposed to be amended by adding the following under permitted uses: "on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, the production and distribution of marihuana under a licence issued pursuant to the Marihuana for Medical Purposes Regulation (Canada) provided that the total amount of building floor area used for all such uses shall not exceed 900 square metres."

### **Business Regulation Amendment Bylaw 2043, 2014**

The Business Regulation Amendment Bylaw was adopted at the April 1, 2014 Council meeting to ensure that as a condition of a business licence issued by the municipality for the production and distribution of marihuana for medical purposes that the licence holder complies with the security and odour control requirements in Division 3 of Part 1 of the Marihuana for Medical Purposes Regulation under the Controlled Drugs and Substances Act (Canada).

### **WHISTLER 2020 ANALYSIS**

Whistler 2020 considerations were addressed in the previous March 18, 2014 Administrative Report to Council 14-028.

### **OTHER POLICY CONSIDERATIONS**

#### **Official Community Plan**

Official Community Plan (OCP) policy considerations were addressed in previous March 18, 2014 Administrative Report to Council 14-028.

## **BUDGET CONSIDERATIONS**

As the Municipality is initiating the rezoning, rezoning application and processing fees do not apply. All costs associated with staff time for the rezoning application will be covered within existing staff budgets.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 will be subject to a public hearing adhering to statutory public notice requirements.

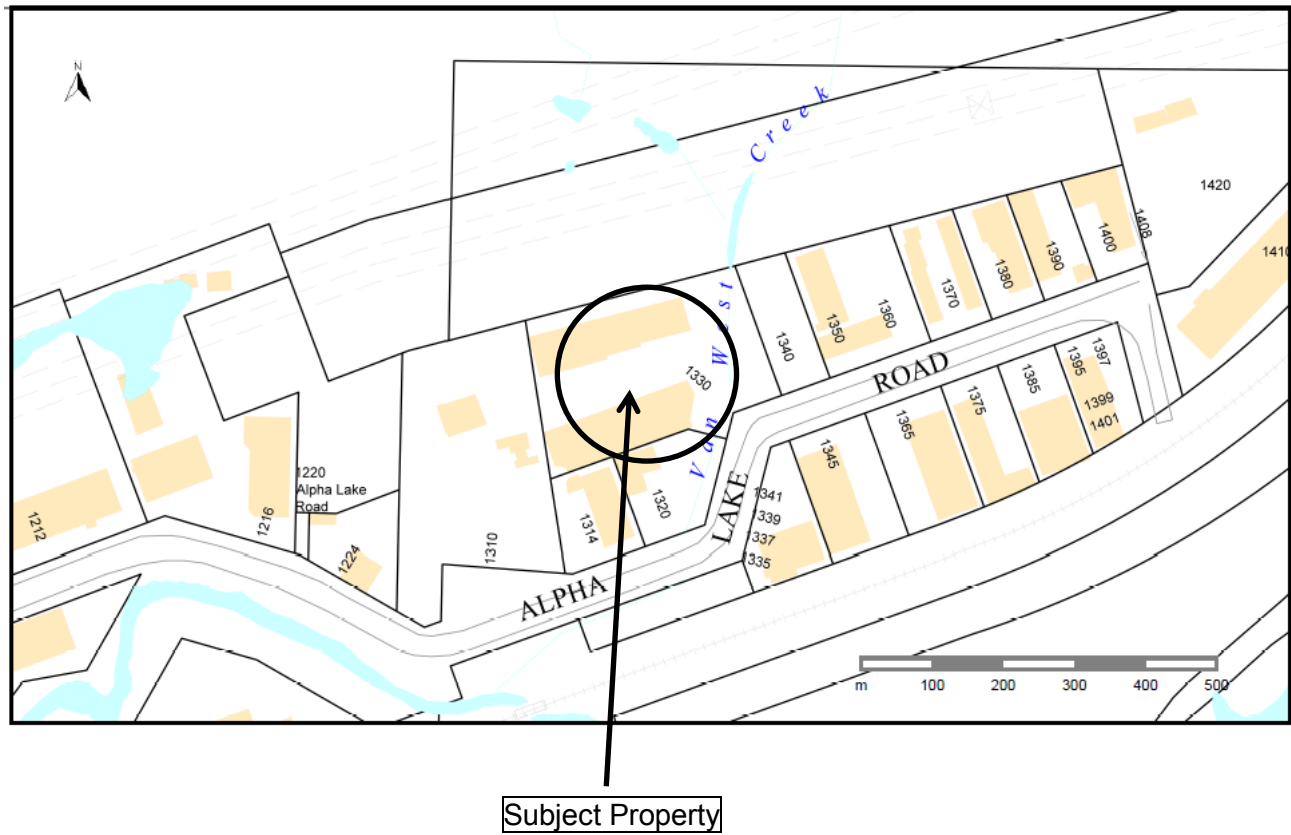
## **SUMMARY**

In accordance with the direction of Council on November 19, 2013, staff has prepared Zoning Bylaw amendments to limit marihuana production and distribution within Whistler to an existing facility at 111, 112 and 113 -1330 Alpha Lake Road. Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 as revised, is presented for Council consideration of second reading and authorization to schedule a public hearing.

Respectfully submitted,

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

Appendix "A" Location Map





**THE RESORT MUNICIPALITY OF WHISTLER**

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

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

## **POSTPONED**

**THIS PUBLIC HEARING WILL BE REMOVED FROM THE COUNCIL AGENDA ON APRIL 15, 2014  
NOTIFICATION WILL BE PROVIDED WHEN THIS PUBLIC HEARING IS RESCHEDULED**

### **NOTICE OF PUBLIC HEARING**

**TUESDAY, APRIL 15, 2014 — 6:00 P.M.**

**MAURICE YOUNG MILLENNIUM PLACE**

**Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC**

### **ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014**

**SUBJECT LANDS: Units 111, 112 and 113 – 1330 Alpha Lake Road**

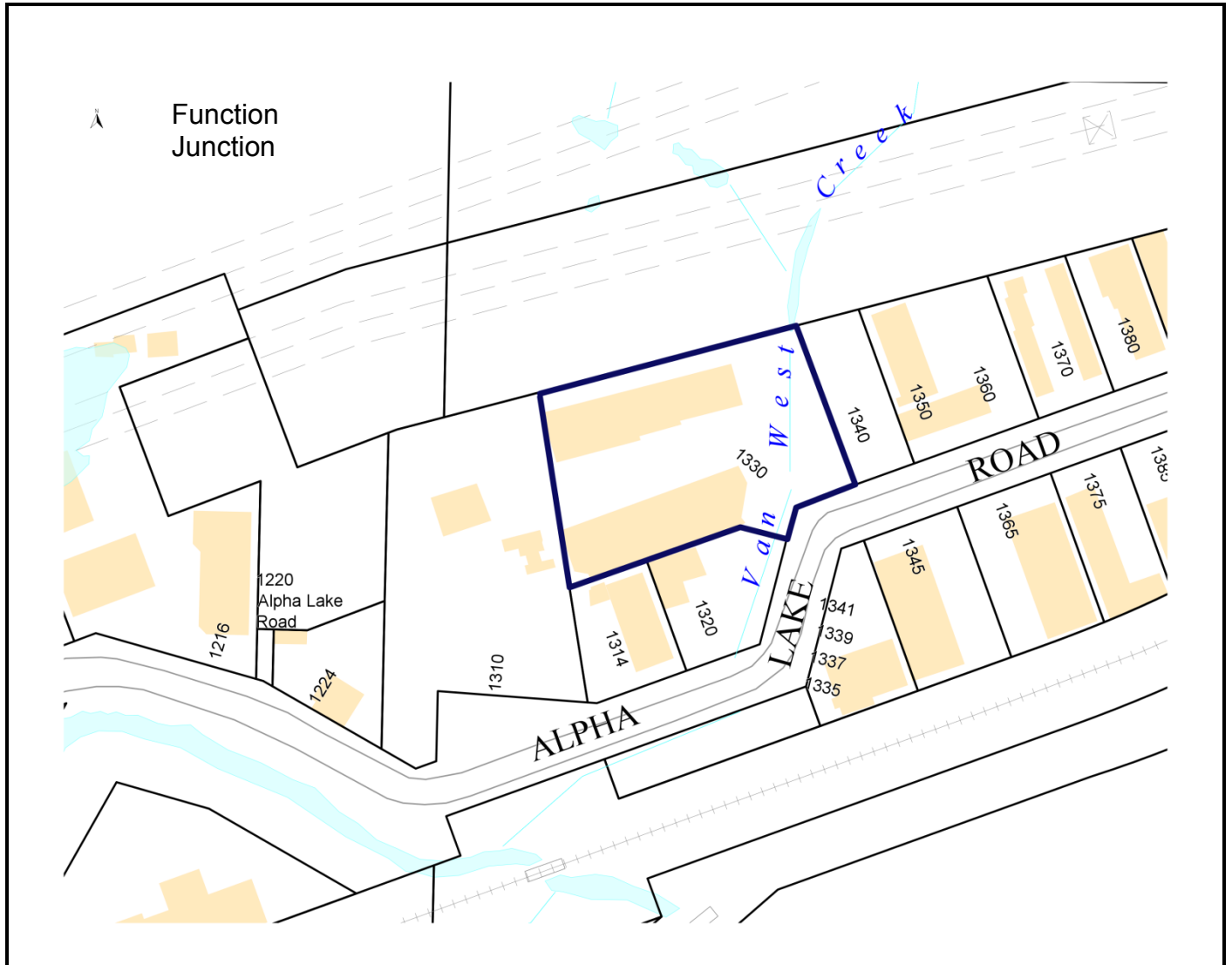
More specifically these lands are described as Strata Lots 11, 12 & 13, District Lot 1754, Plan BCS4326, Group 1, NWD, PID: 028-754-166, 028-754-174 & 028-754-182. The subject lands are identified on the map attached to this notice.

**PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to define marihuana production and distribution within "Zoning and Parking Bylaw 303, 1983". The IL2 (Light Industrial Two) Zone will be amended to allow for marihuana production and distribution at Units 111, 112 & 113 – 1330 Alpha Lake Road. The building floor area for all three units will also be restricted to 560 square metres total.

Shannon Story  
Corporate Officer

**ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2013**  
**SUBJECT LANDS – 111, 112 & 113 – 1330 ALPHA LAKE ROAD**





**THE RESORT MUNICIPALITY OF WHISTLER**

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

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

**NOTICE OF PUBLIC HEARING**

**TUESDAY, APRIL 15, 2014 – 6:00 P.M.**

**MAURICE YOUNG MILLENNIUM PLACE**

Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

**ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014**

**SUBJECT LANDS: Units 111, 112 and 113 – 1330 Alpha Lake Road**

More specifically these lands are described as Strata Lots 11, 12 & 13, District Lot 1754, Plan BCS4326, Group 1, NWD, PID: 028-754-166, 028-754-174 & 028-754-182. The subject lands are identified on the map attached to this notice.

**PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to define marihuana production and distribution within “Zoning and Parking Bylaw 303, 1983”. The IL2 (Light Industrial Two) Zone will be amended to allow for marihuana production and distribution at Units 111, 112 & 113 – 1330 Alpha Lake Road. The building floor area for all three units will also be restricted to 560 square metres total.

**INSPECTION OF DOCUMENTS:**

A copy of the proposed Bylaw and relevant background documentation may be inspected on our website at [www.whistler.ca/events](http://www.whistler.ca/events) (see April 15, 2014), or visit the Reception Desk at Municipal Hall, 4325 Blackcomb Way, Whistler, BC, during regular office hours of 8:00 a.m. and 4:30 p.m., Monday to Friday (statutory holidays excluded).

**PUBLIC PARTICIPATION:**

All persons, who believe their interest in the property might be 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 April 15, 2014):

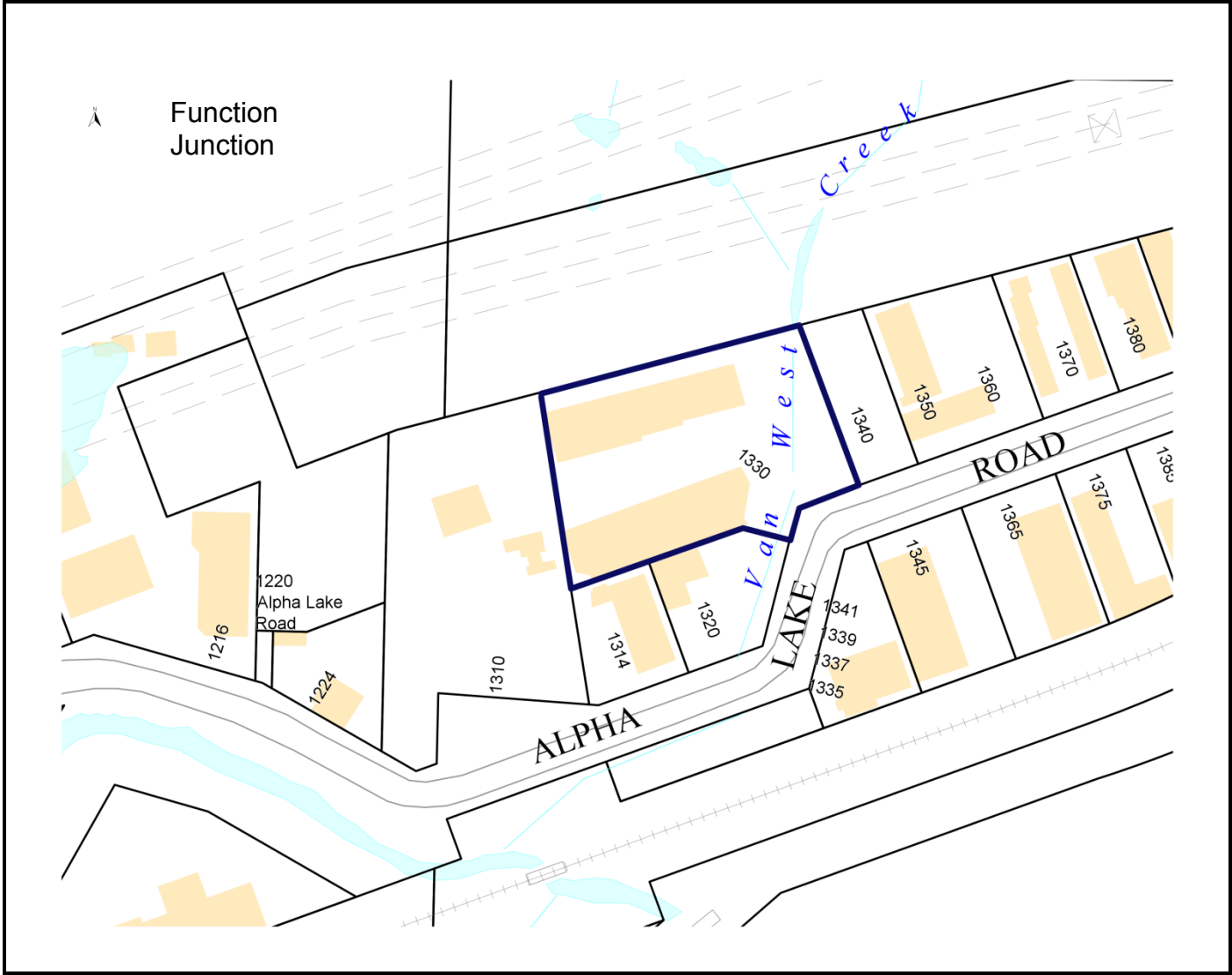
**Email:** [corporate@whistler.ca](mailto:corporate@whistler.ca)  
**Fax:** 604-935-8109  
**Hard Copy:** Legislative Services Department  
4325 Blackcomb Way  
Whistler BC V0N 1B4

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

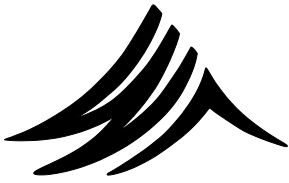
At the conclusion of this Public Hearing, no further information on this topic can be considered by Council.

Shannon Story  
Corporate Officer

**ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2013  
SUBJECT LANDS – 111, 112 & 113 – 1330 ALPHA LAKE ROAD**







# WHISTLER

## MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL  
TUESDAY, APRIL 1, 2014, STARTING AT 5:35 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. Faulkner, J. Grills, D. Jackson, A. Janyk,  
and R. McCarthy

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  
Corporate Officer, S. Story  
Fire Chief, S. Kirkwood  
Director of Finance, K. Roggeman  
Director of Planning, M. Kirkegaard  
Director of Human Resources, D. Wood  
Manager of Communications, M. Comeau  
Manager of Development Services, J. Ertel  
Manager of Special Projects, T. Battiston  
Acting Senior Communications Officer, G. Inglese  
Human Resources Coordinator, L. Rickli  
Planner, A. Antonelli  
Planning Analyst, R. Licko  
Journeyman Mechanic, R. Thuma  
Night Crew Leadhand, S. McLaughlin  
Lifeguard/Swim Instructor, L. Barczynski  
Recording Secretary, N. Best

### **ADOPTION OF AGENDA**

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

**That** Council adopt the Regular Council agenda of April 1, 2014 with the removal of the RZ 1077 - Gross Floor Area Exclusion Amendment Bylaw report and readings.

CARRIED

### **ADOPTION OF MINUTES**

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

**That** Council adopt the Regular Council minutes of March 18, 2014.

CARRIED

## **PUBLIC QUESTION AND ANSWER PERIOD**

*There were no questions from the public.*

## **PRESENTATIONS/DELEGATIONS**

### **RMOW Employee Recognition**

A presentation was given by Mike Furey, Chief Administrative Officer, and Mayor N. Wilhelm-Morden regarding RMOW Employee Recognition.

Mayor N. Wilhelm-Morden acknowledged the 40 employee nominees:

#### **Above and Beyond:**

- Julie Cummings, Recreation Programmer - Corporate and Community Services
- Dana Birkenthal, Administrative Assistant - Infrastructure Services
- Wanda Bradbury, Administrative Assistant - Resort Experience
- Megan Hewitt, Youth Worker - Corporate and Community Services
- Elizabeth Tracy, Director, Whistler Public Library - Corporate and Community Services
- Ken Roggeman, Director of Finance - Corporate and Community Services
- Andy Chalk, Supervisor, Capital Construction - Resort Experience
- Eric Soucy, Fitness Trainer – Corporate and Community Services
- Kevin Murray, Purchasing Agent – Corporate and Community Services
- Ellen We, Budget Coordinator – Corporate and Community Services
- Shawn McLaughlin, Roads Night Crew Leadhand – Infrastructure Services
- Polek Rybczynski, Facility Maintenance – Corporate and Community Services
- J.D. McLean, Facility Maintenance – Corporate and Community Services
- Lindsay Debou, Materials Management Supervisor – Corporate and Community Services
- Sandra (Ande) Brown, GIS Technologist – Infrastructure Services
- Verna MacDonal, Library Assistant – Corporate and Community Services
- Neil Kearns, Waste Water Treatment Plant Operator 3 – Infrastructure Services

#### **Excellence in Teamwork:**

- Charlotte Cronin, Program Leader – Corporate and Community Services
- Valerie Miller, Program Leader – Corporate and Community Services
- Leah Mercer, Recreation Receptionist/Cashier – Corporate and Community Services
- Beth Dunlop, Fitness Trainer – Corporate and Community Services
- Lindsay DeBou, Material Management Supervisor – Corporate and Community Services
- Shaun Simpson, Utilities Operator I – Infrastructure Services
- Laurie McKinney, Snow Groomer/ Labourer III – Corporate and Community Services /Resort Experience
- Donna Wango, Executive Secretary – Chief Administrative Office
- Kevin Erickson, Accountant – Corporate and Community Services

- Lisa Rickli, Human Resources Coordinator – Chief Administrative Office
- Gianna Inglese, Communications Officer – Chief Administrative Office
- Elizabeth Tracy, Director, Whistler Public Library – Corporate and Community Services
- Ken Roggeman, Director of Finance – Corporate and Community Services
- Emi Quigley, Facility Attendant – Corporate and Community Services
- Jamie Charland, Lifeguard/Swim Instructor – Corporate and Community Services

Excellence in Customer Service:

- Nikki Best, Council Coordinator – Corporate and Community Services
- Sara Niblock, Fitness Trainer – Corporate and Community Services
- Darel Lee, Library Assistant II – Corporate and Community Services
- Ron Thuma, Journeyman Mechanic – Infrastructure Services
- Donna Wango, Executive Secretary – Chief Administrative Office
- Amanda Webster, Supervisor, Customer Services Counter – Corporate and Community Services
- Jane Clifford, Library Assistant – Corporate and Community Services
- Verna MacDonald, Library Assistant – Corporate and Community Services
- Melissa Darou, Senior Communications Officer – Chief Administrative Office
- Elizabeth Tracy, Director, Whistler Public Library - Corporate and Community Services
- Ken Roggeman, Director of Finance – Corporate and Community Services

Excellence in Health and Safety:

- Lorne Russell, Supervisor, Parks and Trails Maintenance – Resort Experience
- Ken Roggeman, Director of Finance – Corporate and Community Services
- Elizabeth Tracy, Director, Whistler Public Library – Corporate and Community Services
- Lee-Ann Barczynski, Lifeguard/Swim Instructor – Corporate and Community Services
- Ted Pryce-Jones, Curtis Smith and Dawn Lefebvre, Village Maintenance – Resort Experience

Excellence in being a Resort Ambassador:

- Justin Golob, Parking Enforcement Officer – Corporate and Community Services
- Donna Wango, Executive Secretary – Chief Administrative Office
- Elizabeth Tracy, Director, Whistler Public Library – Corporate and Community Services
- Ken Roggeman, Director of Finance – Corporate and Community Services

:

Mayor Wilhelm-Morden read the nomination submissions and awarded the following five employees:

- Above and Beyond - Shawn McLaughlin
- Excellence in Teamwork - Lisa Rickli
- Excellence in Customer Service - Ron Thuma
- Excellence in Health and Safety - Lee-Ann Barczynski
- Excellence in being a Resort Ambassador – Donna Wango

## **MAYOR'S REPORT**

Mayor N. Wilhelm-Morden shared her condolences with the family of Bob Morris following his passing. Bob worked as an English and Math teacher at Whistler Secondary School for many years. Outside of work, Bob was a keen golfer and was passionate about sports, hiking, skiing and photography. A celebration of life will be held on Sunday April 5 at 2 p.m. at the Burquitlam Funeral Home in Coquitlam.

Mayor N. Wilhelm-Morden shared her condolences with the family of Bonny Makarewicz following her passing. Bonny was well known for capturing the beauty and sporting spirit of B.C.'s South Coast in her nature, sports and community photos. She was celebrated for being a highly creative composer of images and had her work published in many newspapers. A winner of many national and provincial photography awards, Makarewicz died after battling cancer for many months. A celebration of life will be held on Sunday, April 13 at 2 p.m. at the Fairmont Chateau Whistler.

Councillor J. Grills shared his condolences with the family of Dianne Dunn following her passing. A celebration of Life was held at the Squamish Lil'wat Cultural Centre on March 30. Diane was an avid skier, loved the outdoors and travel. Her enthusiasm for life, love for adventure and appreciation for the natural environment will always be remembered.

Mayor N. Wilhelm-Morden shared that Whistler was first place out of 69 communities registered in British Columbia for Earth Hour, which took place on March 29, 2014 from 8:30 p.m. to 9:30 p.m. Whistler "powered down" resulting in a six per cent reduction in electrical demand. The RMOW turned off lights and major appliances around our facilities and the Village to reduce energy use, while many residents and businesses did their part to contribute. 50 people participated in the Earth Hour Candlelight Skate at Whistler Olympic Plaza. The RMOW liaised with the Whistler Facility Managers Association to ensure that larger commercial buildings participated again this year. The Fairmont Chateau Whistler, for example, hosted a Pedal Power event, where participants had the opportunity to ride a stationary bike in the hotel lobby and blend their very own organic smoothie using muscle power instead of electricity. Many local restaurants and businesses also participated and reduced their electricity usage during Earth Hour. Mayor N. Wilhelm-Morden thanked all residents, staff and several businesses, who contributed to the success of Earth Hour.

Mayor N. Wilhelm-Morden reported that March 30 was the last day for cross-country skiing and snowshoeing on the Lost Lake Cross Country and Snowshoe Trails as well as Skating at Olympic Plaza. Both facilities experienced excellent seasons. Skating at Olympic Plaza opened for the season on December 14, 2013 and was even more popular than last year with an estimated 24,000 skate rentals (16,000 last year). The season included a variety of Festivals, Events and Animation programming including holiday activities, New Year's Eve celebrations, Winter Games Celebrations and Spring Break activities. The Lost Lake Cross Country and Snowshoe Trails may have had a slow start to the winter, but when the snow started to fall, the

RMOW's cross country team managed to provide an excellent product with little snow. A tree canopy-pruning program, completed in the fall, allowed more snow to fall on the trails. Despite losing the best four to five weeks of the season (due to poor weather conditions) from mid-December to mid-January, revenues and user numbers for the remainder of the season were on target with the previous year, which included more than 17,000 visitors. Mayor N. Wilhelm-Morden thanked all staff who were involved in the daily operations of the cross country trails and skating facilities as well as those who contributed to excellent programming throughout the season.

Mayor N. Wilhelm-Morden reminded residents that changes are coming to Whistler's waste depots at Function Junction and Nester's on May 19 – including an onsite attendant, new operating hours of 7 a.m. to 7 p.m. and additional recycling options. These changes are a result of updates to the BC Recycling Regulations being implemented largely through Multi Materials British Columbia. The three main benefits of these changes to Whistler are:

1. They will save an estimated \$125,000 a year for the RMOW and Whistler taxpayers
2. They will move Whistler closer towards its goal of zero waste
3. They will improve the level of service at the depots

Mayor N. Wilhelm-Morden added that with any change, they recognize there will be a period of transition as people become accustomed to the new operating hours. Mayor N. Wilhelm-Morden encouraged everyone to familiarize themselves with the changes before the May 19 implementation date. More information can be found at [whistler.ca/solidwaste](http://whistler.ca/solidwaste).

Mayor N. Wilhelm-Morden shared that the 22nd Whistler Cup will take place from April 4 to 6, 2014. This event is one of the largest juvenile ski races in the world with 450 of the best 12 to 15-year-old international athletes competing from 25 countries. Mayor N. Wilhelm-Morden encouraged residents and visitors to get out and welcome the participants on Friday, April 4 during the parade of athletes, starting at 5 p.m. along the Village Stroll, finishing with the Opening Ceremony at Village Square.

Mayor N. Wilhelm-Morden reported that the Urban Land Institute will be hosting its spring meeting from April 9 to 11 in Vancouver, and more than 100 delegates will be visiting Whistler on April 10 for the Recreational Development portion of their agenda. The Urban Land Institute is a non-profit research organization with international membership representing the entire spectrum of land use and real estate development disciplines working in private enterprise and public service. While in Whistler, the participants will have an opportunity to learn about Whistler's development and unique history as a resort municipality; as well as some of the products, services and initiatives that makes Whistler successful. A number of resort leaders including Councilor Roger McCarthy, Mike Furey, Jan Jansen, Dave Brownlie, Rob McSkimming, Barrett Fisher and Pat Kelly will be guest speakers and hosts during the full day Whistler program.

Mayor N. Wilhelm-Morden shared that the Howe Sound Music Festival will take place from April 6 to 13, 2014. Seven professional musicians from Vancouver will visit Whistler and Squamish during the festival. Music students

from the corridor will have an opportunity to showcase their musical talents as well as see some top pianists and vocalists. While the students pay a minimal fee for entering the festival, the organizers rely on businesses and individual support for the festival. There are a number of Whistler and Pemberton students who study voice and will be attending the vocal segment in Squamish. More information is found at [www.howesoundarts.ca](http://www.howesoundarts.ca).

Councillor J. Crompton reported on the three transit open houses that took place in late March. A 40-foot decommissioned BC Transit bus hosted the meetings and residents were invited to provide input regarding the future of local and regional transit. The "Transit Future Bus" was transformed into an interactive public consultation tool with an iPad station, a Kids' Zone and a Post-It note board. The open houses are part of the process to develop the 25-year Transit Future Plan for the Sea to Sky Corridor. The plan is a collaboration between the Squamish-Lillooet Regional District (SLRD), the RMOW, District of Squamish, Village of Pemberton, Lil'wat Nation and BC Transit. The final plan will outline local and regional transit connections between the communities as well as to external regions such as Metro Vancouver.

Councillor D. Jackson shared that from March 21 to 27, Whistler welcomed ten students and their two chaperones from our Sister City Karuizawa, Japan. During the visit, students experienced a range of Whistler activities: a visit to the Whistler Museum, printmaking with local artist Elisa DeJong, skiing at Whistler Blackcomb, snowshoeing at Lost Lake Park, origami with Kids on the Go, and visits to the Squamish Lil'wat Cultural Centre and local eateries. The visit is part of an ongoing relationship between the two municipalities; the RMOW and Karuizawa became the 67th pair of Canadian-Japanese Sister Cities in 1999. Whistler students will visit Karuizawa this October.

Mayor N. Wilhelm-Morden also reported that the mayor of Karizawa had sent a letter with the student delegation to update us that the city is bidding on an upcoming G8 conference to be hosted in Japan, as well as participating in the bid for the 2020 Olympic Games with plans to be a training centre for the event.

Mayor N. Wilhelm-Morden shared that the Coat of Arms Committee will hold its first meeting on April 14. The Deputy Chief Herald will be calling in to participate in the meeting.

On November 5, 2013, Council directed staff to proceed with an application to the Canadian Heraldic Authority on behalf of the RMOW to receive armorial bearings from the Canadian Crown under the powers exercised by the Governor General. Following endorsement, Council also appointed a Select Committee of Council to work with the Canadian Heraldic Authority to develop a coat of arms for Whistler and endorsed a terms of reference for the committee. On January 29, the Deputy Herald Chancellor signed a warrant authorizing the Chief Herald to proceed with a grant of arms for the Resort Municipality of Whistler.

Mayor N. Wilhelm-Morden added that during the closed meeting, Council appointed the following members to the Coat of Arms Committee:

- Michelle Kirkegaard as the Whistler Arts Council Representative,
- Penny Eder as the Public Art Committee Representative, and
- Sarah Drewery as the Whistler Museum Representative.

Mayor N. Wilhelm-Morden added that Council authorized RMOW staff to proceed with holding meetings of the Coat of Arms Committee without a member-at-large committee member.

Mayor N. Wilhelm-Morden reported that during the closed meeting, Council appointed Sue Chappell as the member-at-large for the May Long Weekend Select Committee of Council.

### ADMINISTRATIVE REPORTS

Measuring Up Select  
Committee Of Council  
Terms Of Reference  
Amendments  
Report No. 14-029  
File No. 8320.01

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

**That** Council approve the proposed amendments to the Measuring Up Select Committee of Council Terms of Reference attached as Appendix A to Administrative Report No 14-029, and further,

**That** Council direct staff to advertise for available Member-at-Large position(s) on the Measuring Up Select Committee of Council.

CARRIED

DVPs 1066, 1067, 1068,  
1069, AND 1070 - Bear  
Paw Trail Access Road  
Retaining Variances  
Report No. 140-030  
File No. DVP 1066, DVP  
1067, DVP 1068, DVP  
1069, DVP 1070

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

**That** Council approve Development Variance Permit Applications 1066, 1067, 1068, 1069, and 1070 to vary front, side, and rear setbacks at 8461, 8465, 8469, 8473, and 8477 Bear Paw Trail to allow for retaining walls located at 0.0 m from the parcel lines of these properties to the extent shown on the development plans attached to Administrative Report No. 14-030 as Appendix "B";

**That** Council approve the above noted variances subject to the following conditions:

1. Receipt of a retaining wall design and associated Landscape Plan prepared by a geotechnical engineer and a registered Landscape Architect, that ensures adequate vegetative cover and screening to address the aesthetic character of the wall by softening its appearance and decreasing its apparent height and massiveness
2. Receipt of a cost estimate for the hard and soft landscape works prepared by a registered Landscape Architect, and
3. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the landscape works as security for the construction and maintenance of these works, and further

**That** Council make the above noted conditions subject to the satisfaction of the General Manager of Resort Experience.

DEFEATED

*Opposed: Councillor J. Grills , Councillor D. Jackson , Councillor A. Janyk, Councillor R. McCarthy , Councillor J. Crompton , and Councillor J. Faulkner.*

RZ 1076 - 4341 Village  
Lane – Clocktower Hotel  
Storage Rezoning  
Report No. 14-031  
File No. RZ 1076

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

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014”; and

**That** Council waive a public hearing regarding “Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014” as permitted by Section 890 (4) of the Local Government Act and give notice that the public hearing is waived as per Section 893 of the Local Government Act; and further,

**That** Council direct staff to advise the applicant that before consideration of adoption of “Zoning Amendment Bylaw (CC1 Zone – Clocktower Hotel) No. 2045, 2014”, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Payment of any outstanding rezoning application fees.

CARRIED

RZ 1078 – 2007 Karen  
Crescent Redevelopment  
Report No.14-035  
File No. RZ 1078

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

**That** Council endorse further review of Rezoning Application RZ 1078 requesting a modest increase in building height and floor space ratio for 2007 Karen Crescent.

CARRIED

Alta Lake Sewer Phase 1  
Sub-Project  
Report No. 14-032  
File No. 365

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

**That** Council authorize the Mayor and Corporate Officer to enter into a Servicing Agreement with the five properties identified within the Phase 1 Sub-Project area as described in Administrative Report No. 13-097, dated October 15<sup>th</sup>, 2013, and further

**That** the RMOW fund a portion of the Phase 1 Sub-Project as follows:

- i. That Council agrees to fund the incremental cost to make the sub-project compatible with the Municipal design up to \$30,000 including GST.
- ii. That Council agrees that the remaining cost for the sub-project will be cost-shared equally between the group of property-owners (50%) and the RMOW (50%) up to a maximum of \$134,412.50 (excluding GST).
- iii. The RMOW will purchase and provide residential lift stations to any property that requires one to connect to the sewer.
- iv. The Municipality will adjust the requirement to connect to the sewer from 180 days to within 2 years from the date that the sewer installation is declared substantially complete.

CARRIED



Fire Protection and  
Fireworks Bylaw No.  
2046, 2014  
Report No. 14-033  
Bylaw No. 2046

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

**That** Council consider giving first, second and third readings to Fire Protection and Fireworks Bylaw 2046, 2014.

CARRIED

2014 Community  
Enrichment Program  
Report No. 14-034  
File No. 3004.24

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

**That** Council approve the 2014 Community Enrichment Program grants funded from general revenue as follows:

AWARE	6,430
Get Bear Smart Society	6,075
Whistler Naturalists Society	5,000
Sea to Sky Invasive Species Council	4,000
Whistler Centre for Sustainability	2,000
North Shore Schizophrenia Society	1,850
Spring Creek Community School	2,500
SSCSS - Whistler Parent Tot Drop-In	10,000
Whistler Waldorf School Society	1,500
Zero Ceiling Society	4,500
HSWC - Children Who Witness Abuse Counselling	3,500
HSWC - Women's Drop-in Centre	5,000
Whistler Secondary Scholarship	2,000
Whistler Writers Group*	3,000
BC Luge Association	2,500
Whistler Adaptive Sports Program	11,000
Whistler Gymnastics Club	4,950
Whistler Nordics Ski Club	7,000
Whistler Off Road Cycling Association	30,000
Whistler Roller Girls Society	1,000
Whistler Sailing Association	7,500
Whistler Sea Wolves	4,555
Whistler Skating Club	5,075
Whistler Youth Soccer Club	9,500
The Point-Artist Run Centre Society	3,000
Whistler Children's Chorus	1,800
Whistler Valley Quilters' Guild	900
<b>TOTAL</b>	<b>146,135</b>

CARRIED

## MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee

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

**That** minutes of the Public Art Committee meeting of January 15, 2014 be received.

CARRIED

Advisory Design Panel      Moved by Councillor J. Grills  
Seconded by Councillor A. Janyk

**That** minutes of the Advisory Design Panel meeting of January 15, 2014 be received.

CARRIED

Illegal Space Task Force      Moved by Councillor D. Jackson  
Seconded by Councillor J. Grills

**That** minutes of the Illegal Space Task Force meeting of January 10, 2013 and March 5, 2014 be received.

CARRIED

### **BYLAW FOR FIRST AND SECOND READING**

Zoning Amendment Bylaw  
(CC1 Zone - Clocktower  
Hotel ) No. 2045, 2014      Moved by Councillor A. Janyk  
Seconded by Councillor J. Crompton

**That** Council give first and second readings to Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel ) No. 2045, 2014

CARRIED

### **BYLAW FOR FIRST, SECOND AND THIRD READING**

Fire Protection and  
Fireworks Bylaw No.  
2046, 2014      Moved by Councillor J. Crompton  
Seconded by Councillor R. McCarthy

That Council give first, second and third readings to Fire Protection and Fireworks Bylaw No. 2046, 2014.

CARRIED

### **BYLAW FOR ADOPTION**

Business Regulation  
Amendment Bylaw No.  
2043, 2014      Moved by Councillor A. Janyk  
Seconded by Councillor D. Jackson

**That** Council adopt Business Regulation Amendment Bylaw No. 2043, 2014.  
CARRIED

### **OTHER BUSINESS**

2014-2018 Five Year  
Financial Plan Bylaw      Moved by Councillor D. Jackson  
Seconded by Councillor A. Janyk

**That** Council directs the Director of Finance to prepare the 2014-2018 five year financial plan bylaw based on these specific guidelines:

1. A zero increase to property tax revenues in 2014 (excluding non-market and property count changes);
2. A zero increase to utility fees and parcel taxes in 2014 (excluding property count changes);
3. To include the project amounts as described in proposed project

- listing; and  
4. To include a contingency budget funded from operating reserves.

CARRIED

### **CORRESPONDENCE**

Liquor Licence Review  
File No. 4742

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

**That** correspondence from Brenton Smith, General Manager of O&R Entertainment, and Kevin Wallace, General Manager of Earl's, in care of the Restaurant Association of Whistler dated March 10, 2014, regarding the RMOW's Liquor Licence Review be received and referred to staff.

CARRIED

Valley Trail Grooming  
File No. 8746

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

**That** correspondence from Jill Almond, dated March 21, 2014, regarding the grooming of the Valley Trail be received and referred to staff.

CARRIED

Fire Department  
Response to Medical  
Emergencies  
File No. 3009

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

**That** correspondence from Mayor Derek Corrigan, City of Burnaby, dated March 14, 2014, regarding the Fire Department Response to Medical Emergencies be received and referred to staff.

CARRIED

### **ADJOURNMENT**

Moved by Councillor J. Crompton

**That** Council adjourn the April 1, 2014 Council meeting at 7:46 p.m.

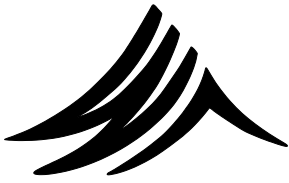
CARRIED

---

MAYOR: N. Wilhelm-Morden

---

CORPORATE OFFICER: S. Story



# WHISTLER

## MINUTES

### REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, MARCH 18, 2014, STARTING AT 5:30 PM

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

#### **PRESENT:**

Mayor N. Wilhelm-Morden

Councillors: J. Crompton, J. Faulkner, J. Grills, D. Jackson, A. Janyk,  
and R. McCarthy

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  
Deputy Corporate Officer, L. Schimek  
Manager of Communications, M. Comeau  
Manager of Transportation and Solid Waste, J. Hallisey  
Planning Analyst, K. Creery  
Planning Analyst, R. Licko  
Recording Secretary, N. Best

#### **ADOPTION OF AGENDA**

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

**That** Council adopt the Regular Council agenda of March 18, 2014.

CARRIED

#### **ADOPTION OF MINUTES**

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

**That** Council adopt the Regular Council minutes of March 4, 2014.

CARRIED

#### **PUBLIC QUESTION AND ANSWER PERIOD**

Steve Anderson of 3242 Archibald Way asked about the \$400,000 of RMI money that was allocated for the alpine huts and trails with the recent announcement from BC Parks that they will accept similar proposals. Mr. Anderson inquired if the \$400,000 allocated will be awarded to any

successful proposal that gets permission to build in the alpine.

Mayor N. Wilhelm-Morden responded that the two initiatives were separately decided.

M. Furey, CAO responded that the funding amount was not \$400,000 it was \$150,000 for the EPI report for 2014. M. Furey added that the proposal from BC Parks was in regards to the Garibaldi Park plans and the RMOW would have further consideration on it.

Mr. Anderson responded the \$400,000 came from \$250,000 for trails and \$150,000 for huts. Mr. Anderson added that now that the area will accept proposals if any of those funds will be awarded to the proposal applicants.

Mayor N. Wilhelm-Morden responded that the \$150,000 for the Spearhead Huts is separate from the Provincial Parks Department. The announcements only came out in the recent weeks, meaning that EPI has not had a chance to consider it and neither has Council.

Councillor J. Faulkner responded that BC Parks will now go to a request for funding proposals (RFPs) stage. EPI amounts are in the process of allocating money towards a hut system, and will be for not-for-profit and modest use as per the public opinion. However, if someone is a successful bidder for the RFP, the funds may not necessarily be allocated to them as the process to determine successful applications is in process.

## **MAYOR'S REPORT**

Mayor N. Wilhelm-Morden shared that on Monday, March 10, she met with representatives from the Truck Loggers Association of B.C. and the B.C. Forest Safety Council regarding the fatal accident that occurred on October 19, 2013, when Hugh Roberts from West Vancouver was killed in the logging truck roll over along Highway 99 in Whistler. The meeting was at the request of the Truck Loggers Association and the B.C. Forest Safety Council, who wanted to inform the mayor of various programs they are pursuing for truck logging safety. Mayor N. Wilhelm-Morden was provided with statistics regarding the number of incidents there are in connection with the number of logging truck loads. On Thursday, March 13, the B.C. Coroner's office announced that there will be an inquest into Mr. Robert's death in the fall of 2014. The inquest was called because of concerns of public safety. The inquest will provide answers as to why the accident occurred and recommendations from the jury regarding steps that should be taken to avoid this in the future.

Mayor N. Wilhelm-Morden announced that Whistler is honoured to host the TEDActive conference for its 30<sup>th</sup> anniversary. The TEDActive conference is sold out with 700 participants in Whistler for five days of sessions that began on March 17 and run through March 21 at the Fairmont Chateau Whistler. The event features a series of presentations by high profile leaders at the main TED conference in Vancouver, this year ranging from Sting and Chris Hadfield to Bill and Melinda Gates. TEDActive features video screening of TED content as well as associated workshops and initiatives.

Video of the TED conference is being screened at the Whistler Public Library free of charge for the community sponsored by the Whistler Centre for Sustainability. The TEDActive conference will be held in Whistler again in 2015 from March 16 to 20.

Mayor N. Wilhelm-Morden congratulated all Team Canada Sea to Sky Paralympic athletes who competed in the 2014 Paralympic Winter Games. Four athletes from the Sea to Sky Corridor qualified for the Paralympic Games: Tyler Mosher, John Leslie (who recently moved to Whistler from Ontario) in para-snowboard and Caleb Brousseau and Matt Hallat in para-alpine. Mayor N. Wilhelm-Morden congratulated Caleb Brousseau who won bronze in men's sitting Super G on the challenging course and to all athletes for the amazing participation and results of the Canadian team overall.

Mayor N. Wilhelm-Morden shared that the new Spring and Summer Recreation Guide is out with information about next season's recreational program at the Meadow Park Sports Centre and community school facilities. Meadow Park offers a range of adult and junior programs ranging from arts to sports. The Resort Municipality of Whistler offers five unique summer camps and sports programs at Myrtle Philip Community School to keep Whistler's youth active over the summer break. More information is found at [www.whistler.ca/recreation](http://www.whistler.ca/recreation) or by calling 604-935-PLAY (7529).

Mayor N. Wilhelm-Morden shared that Whistler Olympic Plaza will have extra animation over Spring Break. There is a free Mini Adventure Zone involving Kiss The Sky Bungee Trampoline and target practice with laser skeets. The Mini Adventure Zone will be open Saturday, March 15 to Sunday, March 30 from 2:00 p.m. to 7:00 p.m. Skating at Whistler Olympic Plaza will continue until the end of March, and the Family Après sessions will continue every Monday and Wednesday from 4:30 p.m. until 6:30 p.m. The slip and slide zone still has lots of snow, and visitors should bring their toboggans. Meadow Park Sports Centre will offer additional programming over Spring Break. Visitors can skate during public skate times from 12:00 p.m. to 4:00 p.m. daily as well as from 6:30 p.m. to 8:00 p.m. on the evenings of Tuesday, Friday, Saturday and Sunday. Myrtle Philip Community School is running their day camp March Madness from 8:30 a.m. to 5:30 p.m. Monday through Friday.

Mayor N. Wilhelm-Morden reported that the Resort Municipality of Whistler has partnered with Emily Carr University of Art + Design to create a Summer Satellite Studio program in Whistler similar to the Summer Institute offered in Vancouver. The initiative builds on recommendations of Whistler's Learning and Education Task Force, the Whistler Community Plan, and Whistler's Cultural Tourism Development Strategy. Mayor N. Wilhelm-Morden encouraged local and visiting teens to consider this exciting summer program. Students will spend two weeks in July artistically exploring Whistler with the help of guest lecturers and field trips. Registration is now open.

Mayor N. Wilhelm-Morden shared that ten students from Whistler's sister city in Karuizawa, Japan are visiting Whistler this week on Friday March 21 to experience Whistler living. The students will try printmaking with local artist Elisa DeJong, they will visit the Whistler Museum and Archives, ski at Whistler Blackcomb, snowshoe at Lost Lake Park, make origami with RMOW

Kids on the Go, and visit the Squamish Lil'wat Cultural Centre as well as local eateries.

Mayor N. Wilhelm-Morden shared that BC Transit, the Squamish-Lillooet Regional District, the Resort Municipality of Whistler, the District of Squamish and the Village of Pemberton are planning the process for the region's 25-year Transit Future Plan. Mayor N. Wilhelm-Morden encouraged residents to share their ideas at one of three Transit Future Plan open houses in Whistler. The open houses will take place inside a 40-foot decommissioned bus that has been transformed into an interactive public consultation tool. This bus is called the "Transit Future Bus" and includes an iPad station, a Kids' Zone and a Post-It note board. The Transit Future Bus is open to the public in Whistler on:

- Thursday, March 27 at Village Gate Boulevard bus shelter from 2:30 p.m. to 6:30 p.m.
- Saturday, March 29 at Meadow Park Sports Centre from 10:00 a.m. to 1:00 p.m.
- Saturday, March 29 at Whistler Olympic Plaza from 2:30 p.m. to 5:30 p.m.

BC Transit will release more details soon. Mayor N. Wilhelm-Morden added that Whistler will be transitioning from its hydrogen bus fleet to a replacement fleet of Clean Diesel Nova Buses on March 31, 2014.

Mayor N. Wilhelm-Morden shared that World Water Day falls during Canada Water Week from March 17 to 23. Whistler has set community goals to reduce water consumption. The Resort Municipality of Whistler works to conserve water for many reasons: to manage operational costs, save tax dollars, and limit the community's impact on the environment. Council approved a Comprehensive Water Conservation and Supply Plan in February 2013 to integrate water conservation with our infrastructure improvements, and our Official Community Plan also supports conservation and protects the high quality of Whistler's water. As well, the Province of BC announced new water legislation on March 12, 2014. The *Water Sustainability Act* will be brought into effect in the Spring of 2015 and replaces the old Water Act from the 1920s. The act will mean greater water protection oversight from the Province.

Mayor N. Wilhelm-Morden shared that she attended the American Friends of Whistler board meeting on Saturday, March 15. In 2013, the American Friends of Whistler granted \$65,000 to various community groups in Whistler. The American Friends of Whistler is a non-profit, small group of Americans who spend time in Whistler, B.C. Their mission is to enhance the Whistler community and foster greater understanding and friendship between Canadians and Americans. The organization raises and distributes funds focused toward health and human services, culture and the arts, and the environment and outdoor recreation. Mayor N. Wilhelm-Morden reported that it is an amazing organization and they have granted more than \$1-million to various non-profit community groups in Whistler over the course of its 10-year history.

Mayor N. Wilhelm-Morden reported that on Saturday March 29 from 8:30 p.m. to 9:30 p.m. the Resort Municipality of Whistler will be powering down

for Earth Hour to help lower the world's energy consumption and to celebrate renewable energy. Energy conservation continues to be the foundation of the RMOW's approach to climate responsibility. In 2013, energy consumption across all municipal operations was 3,350 GJ lower than in 2008 — equivalent to the energy consumption of 37 single family homes in Whistler. Learn more about Earth Hour.

## INFORMATION REPORTS

Multi-Material BC  
Transition Plan  
Report No. 14-022  
File No. 606

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

**That** Council receive Information Report No. 14-022 regarding the transition plan for the Multi-Material BC residential recycling program.

CARRIED

## ADMINISTRATIVE REPORTS

Zoning Amendment  
Bylaw (Marihuana  
Production) No. 2042,  
2014 and Business  
Regular Amendment  
Bylaw 2043, 2014  
Report No. 14-028  
File No. RZ 1081, RZ  
1082, 7600.1

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

**That** Council consider giving first and second readings to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014; and further,

**That** Council consider giving first, second and third readings to Business Regulation Amendment Bylaw No. 2043, 2014.

CARRIED

DVP 1071 – 1563 Spring  
Creek Drive Setback  
Variances  
Report No.024  
File No. DVP 1071

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

**That** Council approve Development Variance Permit 1071 to vary building setbacks at 1563 Spring Creek Drive to permit:

1. A pool deck located 2.2 metres from the front parcel line (at the closest point) and 3.1 metres from the rear parcel line (at the closest point); and
2. A trellis structure on the deck located 2.2 metres from the front parcel line with an overhang at 1.8 metres from the front parcel line,

to the extent shown on the building plans attached to Administrative Report No 14-024 as Appendix "B" ;

**That** Council make the above noted variances subject to the following conditions to the satisfaction of the General Manager of Resort Experience:

1. Receipt of a landscape plan prepared by a certified Landscape Architect, and



2. Modification of the tree preservation covenant registered on title; and further

**That** Council authorize the Mayor and Corporate Officer to execute the required amending covenant.

CARRIED

DVP 1075 – 8488 Bear  
Paw Trail – Retaining  
Wall Variances  
Report No. 14-025  
File No. DVP 1075

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

**That** Council approve Development Variance Permit 1075 to vary setback regulations for proposed extensions to existing retaining walls at 8488 Bear Paw Trail as follows:

1. Vary the upper retaining wall to 3.35 metres in height and vary the minimum setback requirement for the retaining wall to 0 metres from the side property line;
2. Vary the lower retaining wall to 1.85 metres in height and vary the minimum setback requirement for the retaining wall to 0 metres from the side and rear property lines;

to the extent shown on the plans attached to Administrative Report No.14-025 as Appendix “B”.

CARRIED

DVP 1077 – 8496 Bear  
Paw Trail – Retaining  
Wall Variances  
Report No. 14-026  
File No. DVP 1077

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

**That** Council approve Development Variance Permit 1077 to vary setback regulations for proposed extensions to existing retaining walls at 8496 Bear Paw Trail as follows:

1. Vary the upper retaining wall to 3.35 metres in height and vary the minimum setback requirement for the retaining wall to 0 metres from the side property line;
2. Vary the lower retaining wall to 1.85 metres in height and vary the minimum setback requirement for the retaining wall to 0 metres from the side and rear property lines;

to the extent shown on the plans attached to Administrative Report No.14-026 as Appendix “B”.

CARRIED

Section 910 Exemption –  
6692 Crabapple Drive  
(Flood Proofing)  
Report No. 14-027  
File No. 910 Sec. 0008

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

**That** Council grant an exemption per Section 910 of the *Local Government Act* – “Construction requirements in relation to flood plain areas”, to allow for the construction of a new dwelling at 6692 Crabapple Drive; and further,

**That** Council authorize the Mayor and Corporate Officer to execute a Section 219 covenant on the title of the subject property for this exemption, attaching

the geotechnical report as Appendix "B" to Administrative Report No. 14-027, prepared by GVH Consulting Ltd. and confirming that the property is safe for the use intended.

CARRIED

#### **MINUTES OF COMMITTEES AND COMMISSIONS**

May Long Weekend  
Committee

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

**That** minutes of the May Long Weekend Committee meeting of February 24, 2014 be received.

CARRIED

#### **BYLAW FOR FIRST AND SECOND READING**

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

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

**That** Council give first and second reading to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014.

CARRIED

#### **BYLAW FOR FIRST, SECOND AND THIRD READING**

Business Regulation  
Amendment Bylaw No.  
2043, 2014

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

**That** Council give first, second and third reading to Business Regulation Amendment Bylaw No. 2043, 2014

CARRIED

#### **BYLAWS FOR ADOPTION**

Municipal Ticket  
Information System  
Implementation  
Amendment Bylaw No.  
2002, 2012

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

**That** Council adopt Municipal Ticket Information System Implementation Amendment Bylaw No. 2002, 2012.

CARRIED

Business Licence  
Amendment Bylaw No.  
2040, 2014

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

**That** Council adopt Business Licence Amendment Bylaw No. 2040, 2014.

CARRIED

Parking and Traffic  
Amendment Bylaw No.  
2041, 2014

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

**That** Council adopt Parking and Traffic Amendment Bylaw No. 2041, 2014.

CARRIED

## **OTHER BUSINESS**

*There were no items of Other Business.*

## **CORRESPONDENCE**

Whistler Cay Heights  
Pedestrian Overpass  
File No. 3009

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

**That** correspondence from Dr. Thomas DeMarco, dated February 24, 2014, requesting Council consider a pedestrian overpass for the Whistler Cay Heights be received and referred to staff.

CARRIED

Elimination of Home  
Delivery Service by the  
Canada Post Corporation  
File No. 3009

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

**That** correspondence from Derek R. Corrigan, Mayor, City of Burnaby, dated March 4, 2014, regarding the community impacts of the elimination of home delivery services by Canada Post Corporation be received.

CARRIED

## **ADJOURNMENT**

Moved by Councillor J. Crompton

**That** Council adjourn the March 18, 2014 Council meeting at 6:20 p.m.

CARRIED

---

MAYOR: N. Wilhelm-Morden

---

DEPUTY CORPORATE OFFICER: L. Schimek

**RESORT MUNICIPALITY OF WHISTLER  
ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION)  
NO. 2042, 2014**

**A Bylaw to amend Zoning and Parking Bylaw No. 303, 1983**

---

**WHEREAS** the 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 require the provision of parking spaces and loading spaces for uses, buildings and structures;

**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 (Marihuana Production) No. 2042, 2014”.
2. Section 2 Definitions of the Zoning and Parking Bylaw No. 303, 1983 is amended by adding the following definition in appropriate alphabetical order:

“marihuana production” and “marihuana distribution” mean, respectively, the growing and distribution of any plant that contains any of the substances listed in Schedule II to the *Controlled Drugs and Substances Act* (Canada), and includes any research or development activity associated with such uses.”
3. Section 4 General Prohibitions of the bylaw is amended by adding the following:

“No person shall use any land or building for marihuana production or marihuana distribution, except as specifically permitted by this Bylaw.”
4. Section 9 Industrial Zones is amended in respect of the IL2 Light Industrial Two Zone by adding the following as s. 2.1(t) under the heading “Permitted Uses”, and by making any required consequential changes to subsections 2.1(r) and (s):

“on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, the production and distribution of marihuana under a licence issued pursuant to the Marihuana for Medical Purposes Regulation (Canada) provided that the total amount of building floor area used for all such uses shall not exceed 560 square metres.”

GIVEN FIRST READING this 18th day of March, 2014.

GIVEN SECOND READING this 18th day of March, 2014., 2014.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this \_\_\_\_ day of \_\_\_\_\_, 2014.

GIVEN THIRD READING this — day of \_\_\_\_\_, 2014.

APPROVED by the Minister of Transportation this — day of \_\_\_\_\_, 2014.

ADOPTED by the Council this \_\_ day of \_\_\_\_\_, 2014.

---

Nancy Wilhelm-Morden  
Mayor

---

Shannon Story  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of Zoning Amendment Bylaw  
(Marihuana Production) No. 2042, 2014.

---

Shannon Story  
Corporate Officer

**RESORT MUNICIPALITY OF WHISTLER**

**BUSINESS REGULATION AMENDMENT BYLAW NO. 2043, 2014**

**A Bylaw to amend the Business Regulation Bylaw No. 739, 1989**

---

**WHEREAS** the Council has adopted a business regulation bylaw and wishes to amend the bylaw in respect of businesses licensed under the Marihuana for Medical Purposes Regulation (Canada); and

**WHEREAS** the Council has given notice of its intention to adopt this bylaw and has provided an opportunity for persons who consider that they are affected by the bylaw to make representations to Council;

**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 No. 2043, 2014”.
2. Business Regulation Bylaw No. 739, 1989 is amended by adding the following as section 15 and renumbering the following sections accordingly:

“It shall be a condition of every business licence issued under this Bylaw for the production and distribution of marihuana for medical purposes that the licence holder complies with the security and odour control requirements in Division 3 of Part 1 of the Marihuana for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada).”

GIVEN FIRST READING this 18<sup>th</sup> day of March, 2014.

GIVEN SECOND READING this 18<sup>th</sup> day of March, 2014.

GIVEN THIRD READING this 18<sup>th</sup> day of March, 2014.

ADOPTED by the Council this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Nancy Wilhelm-Morden  
Mayor

---

Shannon Story  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of Business Regulation  
Amendment Bylaw No. 2043, 2014.

---

Shannon Story  
Corporate Officer



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** March 18, 2014

**REPORT:** 14-028

**FROM:** Resort Experience

**FILE:** RZ1081 & 1082, 7600.1

**SUBJECT:** ZONING AMENDMENT BYLAW (MARIHUANA PRODUCTION) NO. 2042, 2014  
AND BUSINESS REGULATION AMENDMENT BYLAW 2043, 2014

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION

**That** Council consider giving first and second readings to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014; and further,

**That** Council consider giving first, second and third readings to Business Regulation Amendment Bylaw No. 2043, 2014.

### REFERENCES:

Appendix A - Location Map

Appendix B - Summary of commercial license activities

Appendix C - Security and Odour Control requirements

### PURPOSE OF REPORT

This report presents a proposed zoning amendment bylaw to limit the location and size of facility where federally approved production and distribution of marihuana for medical purposes can occur within Whistler for Council's consideration of first and second reading. This report also presents a proposed business regulation bylaw amendment to implement security and odour control requirements applicable to the holder of a business license issued by the municipality for the production and distribution of marihuana for medical purposes.

### DISCUSSION

#### Background

In 2001, Health Canada introduced the Marihuana Medical Access Regulation Program (MMAR) so that people with a demonstrated medical need could possess and cultivate marihuana for medical purposes. The MMAR program has grown significantly and has resulted in concerns regarding public safety and security as a result of allowing individuals to produce marihuana in their homes.

In June 2013, Health Canada announced the new Marihuana for Medical Purposes Regulations (MMPR), which changes the way Canadians are able to access marihuana for medical purposes. Some key points of the new MMPR include:



- Personal and designated production of medical marihuana by individuals in their homes will expire on March 31, 2014;
- All medical grow licences under the current regime will expire on March 31, 2014;
- Access to medical marihuana for medical purposes will be replaced by regulated commercial Licensed Producers;
- As of October 1, 2013, applications for personal use and designated person production licences were no longer accepted by Health Canada;
- During the transition period, individuals can move their current means of accessing marihuana for medical purposes to purchasing it from Licensed Producers under the new regulations;
- Applications to become a Licensed Producer of Medical Marihuana became available on Health Canada's website on June 19, 2013;
- Applicants to become a Licensed Producer of Medical Marihuana are required to notify the local government, Fire Chief and RCMP of their intent to become a Licensed Producer;
- Every Licensed Producer of Medical Marihuana under the new regime must comply with local government zoning bylaw in regard to permitted use; and
- Licensed Producers could be in a position to commence legal Medical Marihuana Grow Operations prior to April 1, 2014, subject to licensing by the federal government.

Health Canada licensing does not review local government land use regulations in its approval process. Health Canada inspects for compliance with the MMPR and any related federal legislation. Applicants are required to "show" Health Canada that they have notified the local government, law enforcement officials and the fire department of their application. Although licensed activities are subject to local government land use regulations. Health Canada relies on the applicants to discuss their zoning requirements with the local government. A zoning bylaw may prohibit use; it is up to the local government to enforce their zoning bylaw.

It is important to note that where the Municipality is aware or made aware of personal medical marihuana grow operations that are not compliant with the law and/or a public safety concerns, that immediate action will be undertaken to ensure that remediation is made and/or the operation is ceased.

In January 2013, an operator notified the municipality, Fire Chief and RCMP of their intention to pursue a medical marihuana license at 113-1300 Alpha Lake Road. The operator had previously received a building permit to construct new warehouse space for units 111, 112 - 1300 Alpha Lake Road that was authorized in July 2012. Unit 113 - 1300 Alpha Lake Road received a building permit in September 2013 to construct a second floor and new improvement in existing industrial space. A warehouse is a permitted use in the IL2 zone along with nursery or greenhouse. The building is classified medium hazard industrial by the BC Building Code.

On November 19, 2013, Council directed staff to initiate the preparation of a zoning bylaw amendment to regulate activities related to the research, development, production and distribution of medical marihuana.

On February 26, 2014, the operator received a license from Health Canada to a licensed commercial producer of Medical Marihuana at 113-1300 Alpha Lake Road (<http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/list-eng.php>). The operator submitted a business licence to the municipality on February 28, 2014.

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

Currently a number of zones, primarily located in Function Junction, Mons, and RR1 lands (e.g., Edgewater) may allow for marihuana production under different types of uses. Zones such as RR1, RR4, CI1, IS1, IL2, IL3, IS4, ILR and IS5 zones permit uses that cover the “research and development” and “commercial production and distribution” activities (“agriculture” and auxiliary uses, “nursery or greenhouse” and auxiliary uses, and “laboratory, scientific and research”).

The following amendments are proposed to the Zoning Bylaw to implement Council's November 19, 2013 direction to staff:

- A new definition is proposed to define marihuana production and distribution as follows: “marihuana production” and “marihuana distribution” mean, respectively, the growing and distribution of any plant that contains any of the substances listed in Schedule II to the Controlled Drugs and Substances Act (Canada), and includes any research or development activity associated with such uses.”
- Limit marihuana production and distribution to the existing facility at 111, 112 and 113 -1330 Alpha Lake Road with building permits issued under existing zoning. As such, the IL2 zone is proposed to be amended by adding the following under permitted uses: “on Strata Lots 11, 12 and 13 in Strata Plan BCS4326, the production and distribution of marihuana under a licence issued pursuant to the Marihuana for Medical Purposes Regulation (Canada) provided that the total amount of building floor area used for all such uses shall not exceed 560 square metres.”

## **Business Regulation Amendment Bylaw 2043, 2014**

The Business Regulation Bylaw is proposed to be updated to ensure that as a condition of every business licence issued by the municipality for the production and distribution of marihuana for medical purposes that the licence holder complies with the security and odour control requirements in Division 3 of Part 1 of the Marihuana for Medical Purposes Regulation under the Controlled Drugs and Substances Act (Canada). The security and odour control requirements are listed in Appendix C. Any person contravening any provisions of the Business Regulation Bylaw may be issued a fine not exceeding \$2000, and the costs of prosecution or imprisonment for not more than six months, or both.

## **WHISTLER 2020 ANALYSIS**

<b>W2020 Strategy</b>	<b>TOWARD</b> Descriptions of success that resolution moves us toward	<b>Comments</b>
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	The commercial production facility is locally owned and operated.
<b>W2020 Strategy</b>	<b>AWAY FROM</b> Descriptions of success that resolution moves away from	<b>Mitigation Strategies and Comments</b>
Economic	Effective partnerships with government and tourism organizations support economic health	Federal Government brought in the MMPR and does not allow local governments to provide meaningful comments or object to an application within their licensing process.
Economic	Whistler has a healthy economy that generates revenue to contribute to the resort's funding base	Federal Government receives revenue for medical marihuana. Tax revenue may be lower if BC Assessment classifies the operation as agricultural use despite being located in an

		industrial zone.
Energy	Energy is generated, distributed and used efficiently, through market transformation, design and appropriate end uses.	Marihuana production is an energy intensive process.

## OTHER POLICY CONSIDERATIONS

### Official Community Plan

There is limited community benefit to having marihuana production within the Resort Municipality. There are potential impacts on services such as water and waste. There may be impacts on the electrical grid as marihuana production requires more energy than a typical business.

Objective/Policy	Comments
<b>Objective 3.1.2</b> – Optimize the use and function of existing and approved development.	
<b>Policy 3.1.1.2</b> – Contain Whistler urban development within the boundary of the Whistler Urban Development Containment Area.	The subject lands are within the boundary of the Whistler Urban Development Containment Area.
<b>Policy 3.1.2.1</b> – Support flexibility, diversity, adaptability and efficiency in land use and development so the resort community can derive the greatest benefit from existing development	The rezoning supports this Policy by providing increased clarity around the permitted uses for marihuana production and distribution.
<b>Objective 3.2.1</b> – Reinforce Whistler’s mountain resort character, compact development pattern, social fabric, economic viability and diversity.	
<b>Policy 3.2.1.4</b> – Support land uses and development that contribute to a diversified tourism economy compatible with Whistler’s resort character and values.	Marihuana production and distribution does not support the Whistler resort economy and could potentially displace space from other complementary uses. In addition, “agriculture” is not an industry Whistler is looking to attract; therefore, the proposed zoning bylaw amendment limits marihuana production and distribution to the existing facility at 111, 112 and 113 -1330 Alpha Lake Road.
<b>Objective 4.9.4</b> – Reinforce Function Junction as Whistler’s general purpose business district and “Back-of-House” area for the resort community.	
<b>Policy 4.9.4.1</b> – Review and rationalize zoning designations to provide flexibility and compatibility for a wide range of uses appropriately located in Function Junction.	Allowing for the existing medical marihuana production facility provides for flexibility in the IL2 zone and is compatible with similar warehouse/light industrial uses.
<b>Policy 8.4.1.3</b> – Lead a community-wide effort to reduce total energy consumption to a level 10% below 2007 levels by 2020.	There may be impacts on the electrical grid as marihuana production requires more energy than a typical business.

## BUDGET CONSIDERATIONS

As the Municipality is initiating the rezoning, rezoning application and processing fees do not apply. All costs associated with staff time for the rezoning application will be covered within existing staff budgets.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014 will be subject to a public hearing adhering to statutory public notice requirements. Business Regulation Amendment Bylaw 2043, 2014 does not require a public hearing.

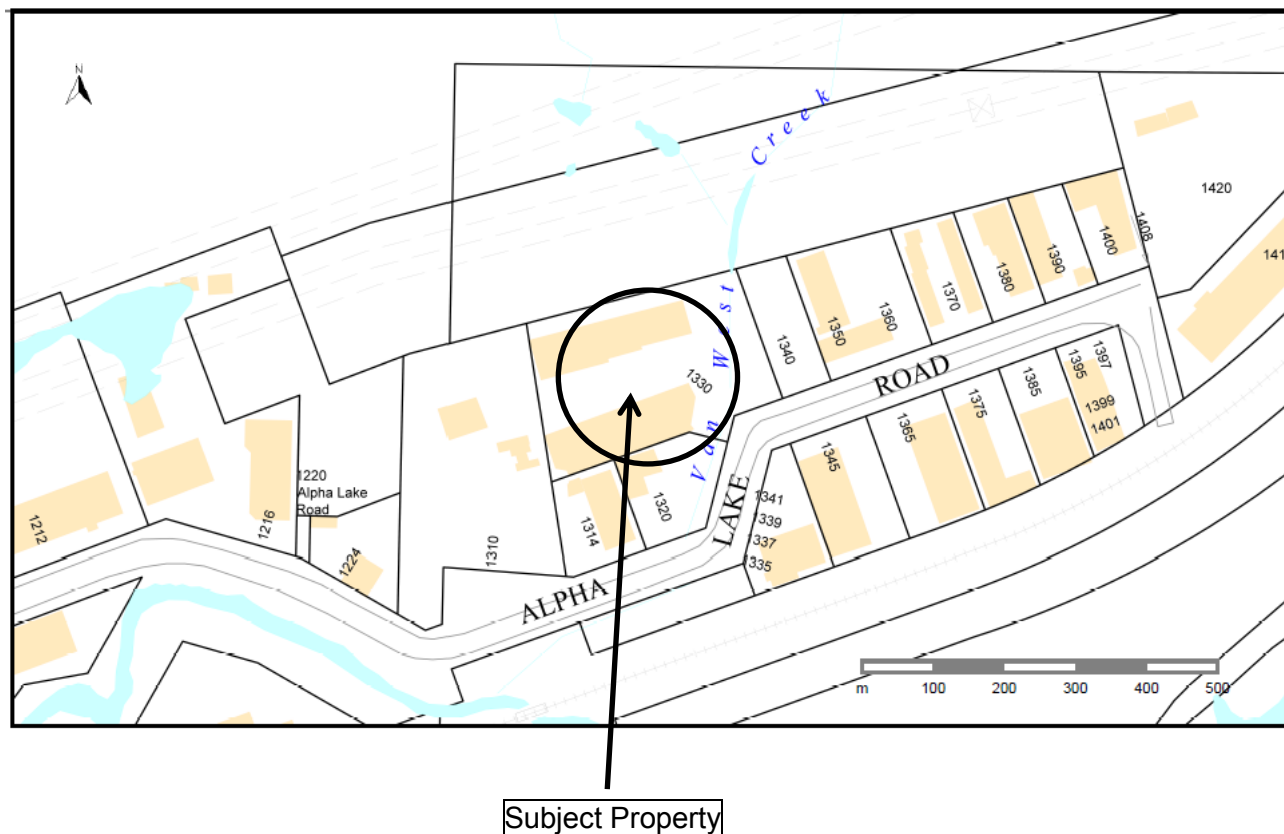
## **SUMMARY**

In June of 2013, the Federal Government brought in new regulations regarding the access to medical marihuana by individuals who were licensed to grow marihuana for medical purposes. As of April 1, 2014, new Health Canada regulations permit only licensed commercial producers to produce Medical Marihuana.

In accordance with the direction of Council on November 19, 2013, staff has prepared Zoning Bylaw amendments to limit marihuana production and distribution within Whistler to an existing facility at 111, 112 and 113 -1330 Alpha Lake Road with building permits issued under existing zoning.

Respectfully submitted,

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



## Summary of Commercial License Activities

- Medical marihuana grown indoors;
- Harvesting and packaging marihuana and destroying marihuana that has passed its 'best before' date;
- Maintaining an inventory of marihuana for distribution;
- Clients seeking Medical Marihuana would submit a document obtained from their physician directly to a licensed commercial producer;
- Delivery of the medical marihuana is by registered mail and storefront (walk-in) purchasing is not permitted;
- The list of licensed commercial producers is listed on Health Canada's website: <http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/list-eng.php>;
- Conducting ongoing research and development activities of a minor nature;
- Conducting related administrative duties including maintaining record required by Health Canada
- No retail sales are permitted:
  - Licensed producers may sell medical marihuana only to persons having a prescription for the drug;
  - Delivery of the drug to the customer only by a shipping method that involves a means of tracking the package during transit and the safekeeping of the package during transit (registered mail or courier);
  - Producers may accept both written and verbal order, but s. 119 of MMPR prohibits transfer of possession of marihuana to customer by means other than shipping it to them;

## Appendix C - Security and Odour Control requirements

graphs 38(1)(a) to (c) in the area in which the site specified in the licence is located and provide a copy of the notice to the Minister.

Content of notice

(2) The notice must contain the following information:

- (a) the name of the licensed producer and the address of their site; and
- (b) a description of the applicable matter referred to in subsection (1) and its effective date and, in the case of an amendment to the licence, details of the amendment.

Senior official

(3) The notice must be addressed to a senior official of the local authority to whom it is sent.

sonnes visées aux alinéas 38(1)a) à c) de la région où se situe l'installation visée par la licence et fournit copie de cet avis au ministre.

Contenu de l'avis

(2) L'avis contient les renseignements suivants :

- a) le nom du producteur autorisé et l'adresse de son installation;
- b) la description de l'événement en cause et sa date de prise d'effet et, s'il s'agit d'une modification de la licence, les précisions eu égard aux changements apportés.

Cadre supérieur

(3) Le destinataire de l'avis est un cadre supérieur de l'autorité locale en cause.

### DIVISION 3

#### SECURITY MEASURES

##### *General*

Compliance with security measures

**41.** A licensed producer must ensure that the security measures set out in this Division are carried out.

Unauthorized access

**42.** The licensed producer's site must be designed in a manner that prevents unauthorized access.

##### *Perimeter of Site*

Visual monitoring

**43.** (1) The perimeter of the licensed producer's site must be visually monitored at all times by visual recording devices to detect any attempted or actual unauthorized access.

Visual recording devices

(2) The devices must, in the conditions under which they are used, be capable of recording in a visible manner any attempted or actual unauthorized access.

### SECTION 3

#### MESURES DE SÉCURITÉ

##### *Généralités*

**41.** Le producteur autorisé veille au respect des mesures de sécurité prévues à la présente section.

**42.** L'installation du producteur autorisé doit être conçue de façon à prévenir tout accès non autorisé.

##### *Périmètre de l'installation*

**43.** (1) Le périmètre de l'installation du producteur autorisé doit faire l'objet, en tout temps, d'une surveillance visuelle à l'aide d'appareils d'enregistrement visuel, de façon à détecter tout accès ou tentative d'accès non autorisé.

Respect des mesures de sécurité

Accès non autorisé

Surveillance visuelle

Appareils d'enregistrement visuel

(2) Ces appareils doivent être adaptés aux conditions de leur environnement afin d'enregistrer visiblement tout accès ou tentative d'accès non autorisé.

Intrusion detection system	<p><b>44.</b> The perimeter of the licensed producer's site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system.</p>	<p><b>44.</b> Le périmètre de l'installation du producteur autorisé doit être sécurisé au moyen d'un système de détection des intrusions qui est fonctionnel en tout temps et permet la détection de tout accès non autorisé à l'installation ou mouvement non autorisé à l'intérieur de celle-ci ou toute altération du système, ou toute tentative à ces égards.</p>	Système de détection des intrusions
Monitoring by personnel	<p><b>45.</b> (1) The system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence referred to in section 43 or 44.</p>	<p><b>45.</b> (1) Le système doit être surveillé en tout temps par du personnel qui doit déterminer les mesures qui s'imposent en cas de détection d'un événement visé aux articles 43 ou 44.</p>	Surveillance par le personnel
Record of detected matters	<p>(2) If any such occurrence is detected, the personnel must make a record of</p> <p>(a) the date and time of the occurrence; and</p> <p>(b) the measures taken in response to it and the date and time when they were taken.</p> <p><i>Areas Within a Site where Cannabis is Present</i></p>	<p>(2) Le cas échéant, le personnel doit consigner les renseignements suivants :</p> <p>a) la date et l'heure auxquelles l'événement a été détecté;</p> <p>b) la description des mesures prises en réponse à ce dernier, ainsi que la date et l'heure auxquelles elles l'ont été.</p> <p><i>Zones de l'installation où du chanvre indien est présent</i></p>	Constat des événements détectés
Restricted access	<p><b>46.</b> (1) Access to areas within a site where cannabis is present (referred to in sections 46 to 50 as "those areas") must be restricted to persons whose presence in those areas is required by their work responsibilities.</p>	<p><b>46.</b> (1) L'accès aux zones de l'installation où du chanvre indien est présent (appelées « zones » aux articles 46 à 50) doit être limité aux seules personnes dont les fonctions y requièrent la présence.</p>	Accès restreint
Responsible person in charge present	<p>(2) The responsible person in charge or, if applicable, the alternate responsible person in charge must be physically present while other persons are in those areas.</p>	<p>(2) La personne responsable ou, le cas échéant, la personne responsable suppléante, doit être présente physiquement dans les zones lorsque d'autres personnes s'y trouvent.</p>	Présence de la personne responsable
Record	<p>(3) A record must be made of the identity of every person entering or exiting those areas.</p>	<p>(3) Il est tenu un registre de l'identité des personnes entrant dans les zones ou en sortant.</p>	Registre



Physical barriers	<b>47.</b> Those areas must include physical barriers that prevent unauthorized access.	<b>47.</b> Les zones doivent comporter des barrières physiques qui empêchent tout accès non autorisé.	Barrières physiques
Visual monitoring	<b>48.</b> (1) Those areas must be visually monitored at all times by visual recording devices to detect illicit conduct.	<b>48.</b> (1) Les zones doivent faire l'objet d'une surveillance visuelle en tout temps, à l'aide d'appareils d'enregistrement visuel, de façon à détecter toute conduite illicite.	Surveillance visuelle
Visual recording devices	(2) The devices must, in the conditions under which they are used, be capable of recording in a visible manner illicit conduct.	(2) Ces appareils doivent être adaptés aux conditions de leur environnement afin d'enregistrer visiblement toute conduite illicite.	Appareils d'enregistrement visuel
Intrusion detection system	<b>49.</b> Those areas must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in those areas or tampering with the system.	<b>49.</b> Les zones doivent être sécurisées au moyen d'un système de détection des intrusions qui est fonctionnel en tout temps et permet la détection de tout accès non autorisé aux zones ou mouvement non autorisé à l'intérieur de celles-ci ou toute altération du système, ou toute tentative à ces égards.	Système de détection des intrusions
Filtration of air	<b>50.</b> Those areas must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.	<b>50.</b> Les zones doivent être équipées d'un système de filtration de l'air qui empêche les odeurs et, le cas échéant, le pollen, de s'échapper.	Filtration de l'air
Monitoring by personnel	<b>51.</b> (1) The intrusion detection system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence referred to in section 48 or 49.	<b>51.</b> (1) Le système de détection des intrusions doit être surveillé en tout temps par du personnel qui doit déterminer les mesures qui s'imposent en cas de détection d'un événement visé aux articles 48 ou 49.	Surveillance par le personnel
Record of detected matters	(2) If any such occurrence is detected, the personnel must make a record of (a) the date and time of the occurrence; and (b) the measures taken in response to it and the date and time when they were taken.	(2) Le cas échéant, le personnel doit consigner les renseignements suivants : a) la date et l'heure auxquelles l'événement a été détecté; b) la description des mesures prises en réponse à la détection de ce dernier, ainsi que la date et l'heure auxquelles elles l'ont été.	Constat des événements détectés

# Marihuana Production

Zoning Amendment Bylaw and Business  
Regulation Amendment Bylaw

March 18, 2014

## RESORT MUNICIPALITY OF WHISTLER

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

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



# Background

- Marihuana for Medical Purposes Regulation (MMPR) comes into effect April 1, 2014
- MMPR replaces current “personal use production licenses” and “designated person production licenses” with supply of medical marihuana to prescription holders by licensed commercial producers.
- Licensing of commercial producers is through Health Canada.
- In advance of April 1, 2014, Health Canada has been granting authorizations for “research and development activities” related to commercial growing of marihuana.

# Commercial License Activities

- Marihuana grown indoors
- Harvesting and packaging marihuana and destroying marihuana that has passed its 'best before' date
- Maintaining an inventory of marihuana for distribution
- Conducting ongoing research and development activities of a minor nature
- Conducting related administrative duties including maintaining record required by Health Canada

# Commercial License Activities

- No retail sales are permitted:
  - Licensed producers may sell marihuana only to persons having a doctors prescription for the drug
  - Deliver the drug to the customer only by a shipping method that involves a means of tracking the package during transit and the safekeeping of the package during transit (registered mail or courier)
  - Producers may accept both written and verbal orders, but s.118 of MMPR prohibits transfer of possession of marihuana to customer by means other than shipping it to them

# License Applications and Approvals

- One existing facility - 560 square metres (6028 SF) facility located in units 111, 112 and 113 - 1330 Alpha Lake Road.
- Commercial license approved by Health Canada on February 26, 2014.
- Licensed producers are subject to local government land use regulations.
- Building permits authorized July 2012 under existing zoning for nursery and greenhouse use.



# Council Direction

- November 19, 2013 Council resolution  
“That Council direct staff to initiate preparation of a zoning amendment bylaw to regulate activities related to the research, development, production and distribution of medical marihuana.”
- S.929 of Local Government Act grants authority to with-hold building permits and business licenses contrary to bylaw under preparation

# RMOW Zoning Option / Business Regulations

- Define marihuana production and distribution as a specified land use permitted for approved location only.
- Recognize existing location for this use, limit to existing size of 560 square metres (6028 SF).
- Amend the Business Regulation bylaw to establish controls and restrictions related to security and odour control for the business license holder.
  - ✓ An air filtration system must be used to prevent the escape of odours.
  - ✓ Security provisions would prevent unauthorized access to marihuana and visually record areas where marihuana is present to record any illicit conduct.



# Council Resolution

- **That** Council consider giving first and second readings to Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014;
- **That** Council authorize the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Marihuana Production) No. 2042, 2014; and further,
- **That** Council consider giving first, second and third readings to Business Regulation Amendment Bylaw No. 2043, 2014.