

WHISTLER

AGENDA

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, APRIL 1, 2014, STARTING AT 5:30 PM**

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

ADOPTION OF AGENDA

Adoption of the Regular Council agenda of April 1, 2014.

ADOPTION OF MINUTES

Adoption of the Regular Council minutes of March 18, 2014.

PUBLIC QUESTION AND ANSWER PERIOD

PRESENTATIONS/DELEGATIONS

RMOW Employee
Recognition

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

MAYOR'S REPORT

ADMINISTRATIVE REPORTS

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

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.

RZ 1077 - Gross Floor
Area Exclusion
Amendment No. 2044,
2014
Report No. 14-013
File No. RZ 1077

That Council consider giving first and second readings to "Zoning Amendment Bylaw (Gross Floor Area Exclusions) No. 2044, 2014"; and further

That Council authorize the Corporate Officer to schedule a Public Hearing regarding "Zoning Amendment Bylaw (Gross Floor Area Exclusion) No. 2044, 2014", and to advertise for same in a local newspaper.

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

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:

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

Receipt of a cost estimate for the hard and soft landscape works prepared by a registered Landscape Architect, and

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.

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

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.

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

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.

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

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 15th, 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.

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

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

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

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
TOTAL	146,135

MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee

Minutes of the Public Art Committee meeting of January 15, 2014.

- Advisory Design Panel Minutes of the Advisory Design Panel meeting of January 15, 2014.
- Illegal Space Task Force Minutes of the Illegal Space Task Force meeting of January 10, 2013 and March 5, 2014.

BYLAWS FOR FIRST AND SECOND READING

- Zoning Amendment Bylaw (Gross Floor Area Exclusions) No. 2044, 2014 The purpose of Zoning Amendment Bylaw (Gross Floor Area Exclusions) No. 2044, 2014 is to amend the GFA exclusion regulations to tighten requirements.
- Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014 The purpose of Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014 is to increase the maximum permitted Gross Floor Area (GFA) to permit an additional storage area for the hotel by converting a currently excluded floor area located within the building's attic.

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

- Fire Protection and Fireworks Bylaw No. 2046, 2014 The purpose of Fire Protection and Fireworks Bylaw No. 2046, 2014 is to update the restrictions on open air burning to permit limited residential garden debris burning and streamline the year round campfire regulations to be consistent with the Provincial Fire Danger Rating System.

BYLAWS FOR ADOPTION

- Business Regulation Amendment Bylaw No. 2043, 2014 The purpose of Business Regulation Amendment Bylaw No. 2043, 2014 is to amend the Business Regulation Bylaw to regulate businesses licensed under the Marihuana for Medical Purposes Regulation (Canada).

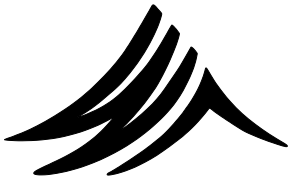
OTHER BUSINESS

- 2014 Budget Guidelines 2014 Budget Guidelines for the RMOW.

CORRESPONDENCE

- Liquor Licence Review File No. 4742 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.
- Valley Trail Grooming File No. 8746 Correspondence from Jill Almond, dated March 21, 2014, regarding the grooming of the Valley Trail.
- Fire Department Response to Medical Emergencies File No. 3009 Correspondence from Mayor Derek Corrigan, City of Burnaby, dated March 14, 2014, regarding the Fire Department Response to Medical Emergencies.

ADJOURNMENT



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 30th 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 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



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-029

FROM: Planning Department

FILE: 8320.01

SUBJECT: MEASURING UP SELECT COMMITTEE OF COUNCIL TERMS OF
REFERENCE AMENDMENTS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Appendix A - Draft Amended Terms of Reference for Measuring Up Select Committee of Council

Appendix B - Original Terms of Reference Measuring Up Select Committee of Council (originally adopted on October 6, 2009 Report No. 09-138 File No. 10500).

PURPOSE OF REPORT

The purpose of this report is to present updated Terms of Reference for the Measuring Up Select Committee of Council for Council consideration and to direct staff to advertise for the vacant Member-at-Large position.

DISCUSSION

In October of 2009 Council approved a Terms of Reference for the Measuring up Select Committee of Council (MUSCC). MUSCC considers broad-scope resort community accessibility and inclusion through a diverse stakeholder representation at the committee table. As well, MUSCC provides input on municipal recreation and leisure opportunities, services and built environments, and is guided by the goals, objectives and policies Whistler2020, the Official Community Plan, RMOW Corporate Plan, Council Action Plan, the Recreation and Leisure Master Plan, and other municipal plans and policies.

Building on community capacity and infrastructure improvements initiated to successfully design and deliver the 2010 Winter Paralympic Games, the MUSCC works on a collaborative model, bringing key resort stakeholders together to assess and improve community accessibility and

inclusion focusing on the experiences of people with disabilities, but encompassing the whole community.

The MUSCC Terms of Reference are being updated to better reflect the key focus areas of the committee, to clarify and update committee membership to best represent community makeup, and to remove specific references to the 2010 Legacies Now group which no longer exists. The MUSCC members are appointed annually by Council with a Chairperson nominated and elected by the committee.

The proposed updated Terms of Reference for Council consideration are provided in Appendix A and the existing Terms of Reference are provided for comparison in Appendix B. The existing terms were structured as a prescriptive task oriented guiding document with specific references to municipal expectations for previous funding programs through Legacies Now and the 2010 Winter Games, involvement by Whistler 2020 Task Force groups and an outdated municipal corporate structure. The updated terms reflect a committee approach, guided by collaborative efforts within the general areas of responsibility identified. The terms also reflect an updated template for select committees of Council as developed by Legislative Services.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment is safe and accessible for people of all abilities, anticipating an accommodating well-being needs and satisfying visitor expectation	The mandate of the Measuring Up Committee addresses this Description of success.
Health and Social	Whistler is accessible and inclusive for community members and visitors with disabilities	The focus of the Measuring Up committee is to perpetually strive to improve accessibility and inclusion for everyone.
Arts, Culture and Heritage	A range of authentic and creative art, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors	The Measuring Up committee provides input to staff and event producers to ensure accessibility.
Economic	Whistler has a diversified and year-round tourism economy	The economic benefits of increasing accessibility of the physical and social infrastructure include meeting growing labor shortages and providing an inclusive environment will attract more travelers with disabilities.
Financial	The long-term consequences of decisions are carefully considered	The Measuring Up committee will provide advice to improve accessibility to better prepare Whistler for an aging resident and visitor demographic.
Learning	Diverse, affordable and accessible lifelong learning opportunities exist to meet the community's needs	It is the intent of the committee to inform staff and community partners about people with disabilities. They will constantly strive to remove barriers to allow full participation at learning opportunities for all community members.
Partnerships	Decisions consider the community's values as well as short and long-term social, economic and environmental consequences	The members of the Measuring Up committee represent partner organizations that work collaboratively on inclusion and accessibility through the committee.

Recreation and Leisure	Residents and visitors of all ages and abilities enjoy activities year-round that encourage healthy living, learning and a sense of community	The Measuring Up committee membership will strive to advise about how to create outstanding recreational experiences for visitors and residents of all abilities, while simultaneously communicating these opportunities to key resort partners.
	Recreation and leisure are part of the Whistler lifestyle and all community members are able and encouraged to participate	
	Visitors are aware of and have access to a variety of recreation and leisure offerings at a range of price points	
	The cost of amenities is covered within the resort community's financial means and is equitably shared among stakeholders	
Resident Housing	The planned flexibility within neighbourhood design, housing form, and housing tenure enables the adaptability to meet changing housing needs and future affordability considerations	An objective of the Measuring Up committee will be to act as an avenue to convey information between the public at large represented through the committee membership and the Whistler Housing Authority, about the changing housing needs of the aging demographic value of adaptive housing.
	Whistler has a sufficient quantity and appropriate mix of quality housing to meet the needs of diverse residents (Target: 75% of Whistler employees live in the resort community)	
	Residents enjoy housing in mixed-use neighbourhoods that are intensive, vibrant and include a range of housing forms	
	Housing is healthy and livable, and housing design, construction and operations are evolving toward sustainable and efficient energy and materials management	
Transportation	The transportation system efficiently meets both the short- and long-term needs of all users	The Measuring Up committee will work with staff and community partners to ensure that public and private transit providers are able to accommodate people of all abilities.
	The transportation systems to, from and within the resort community are accessible and offer affordable travel options	
Visitor Experience	Visitors feel genuinely welcome	The Measuring Up committee will regularly review activities available to support a diverse offering of activities for people with disabilities to participate in.
	Communication, travel and services are accessible, seamless and convenient at all phases of visitors' trips, from prior to departure until after returning home	
	Whistler proactively anticipates market trends	
	A diverse range of year-round activities is developed and offered	
	The resort is comfortable, functional,	

	safe, clean and well-maintained	
--	---------------------------------	--

Staff has not identified any instance where the Measuring Up Select Committee of Council will move the RMOW away from Whistler2020's descriptions of success.

BUDGET CONSIDERATIONS

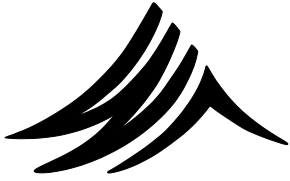
Staff time will be required for recording minutes and providing logistical support to the committee. All members will be expected to serve without financial remuneration. Associated costs are provided for within the Planning Department budget.

SUMMARY

Updating the Terms of Reference of the Measuring up Select Committee of Council (MUSCC) will better define the membership and mandate of the committee, and the proposed schedule of meeting times will make better use of each member's time. MUSCC will continue to help support the goals and objectives of senior documents, and help provide informed input to the planning and delivery of infrastructure and services in Whistler.

Respectfully submitted,

Sarah Tipler
MEASURING UP COORDINATOR
for
Jan Jansen
GENERAL MANAGER RESORT EXPERIENCE



WHISTLER

TERMS OF REFERENCE

MEASURING UP SELECT COMMITTEE OF COUNCIL

**Council Adoption: April 01, 2014
File No. 8320.01**

PURPOSE OF COMMITTEE

The Measuring Up Select Committee of Council (MUSCC) will work collaboratively to assess and improve community accessibility and inclusion focusing on the experiences of people with disabilities, but encompassing the whole community. The Committee will review and improve local access and inclusion as based upon public input and participation on an ongoing basis. People with disabilities will be an active part of this work.

MEMBERSHIP

MUSCC will consist of up to 13 members, representing Whistler's major partners, business and community interests; with preference given to those with knowledge related to disability issues:

- I. One RMOW Council member (non-voting)
- II. One representative from the Mature Action Committee
- III. One RMOW staff member from the Planning Department (non-voting)
- IV. Measuring Up Coordinator, RMOW (non-voting)
- V. One representative from the Whistler Chamber of Commerce
- VI. One representative from Tourism Whistler
- VII. One representative from the Whistler Adaptive Sports Program
- VIII. One member of the Senior Leadership Team from Whistler Blackcomb
- IX. One representative from the accommodation sector
- X. One representative from Whistler Community Services Society
- XI. One representative working for Vancouver Coastal Health
- XII. Two members-at-large from the community, representing people with various disabilities and levels of disability.

Members are to be appointed annually by Council each January and any membership changes will require Council approval. The Committee may invite other stakeholders to meetings as required for discussions from time to time. The Chairperson will be nominated and elected by the Committee.

Meeting quorum shall consist of the appointed or designate majority of the voting members of the Committee. Recommendations of MUSCC shall be made by a majority of members in attendance at a meeting, provided quorum is met at that meeting.

RESPONSIBILITIES

The Measuring Up Select Committee of Council is intended primarily to:

1. Work collaboratively to identify and implement initiatives to enhance accessibility and inclusion across the resort community;
2. Undertake initiatives which help promote and profile Whistler as an increasingly accessible and inclusive four season destination resort;
3. Provide the RMOW guidance and advice regarding accessibility within all of its departments and municipal events, including how the RMOW may become more inclusive in its operations;
4. Establish a reporting process that allows interested members of the public access to the progress of the Committee;
5. Provide an objective view in the public interest and fairly represent this view in RMOW public processes along with the organizations that they represent;
6. Recognize that the comments and recommendations of the Committee, represents one of a series of decision-making processes that enable members of Council to fully understand the issues under review, including their policy and budget consequences and potential impact on the public;
7. Receive referrals from Council and its committees for review and recommendations;
8. Investigate funding opportunities available with respect to inclusion and accessibility.

MEETINGS

MUSCC meetings will be scheduled every two months. Special meetings will be scheduled as required.

Meeting locations and times will be posted 72 hours in advance on the RMOW website and public notice boards. All meetings will be open to the public to attend unless the meeting is Closed under section 90 of the *Community Charter*. Meeting minutes will be provided to Committee members and Council.

The proceedings of MUSCC are to be governed by Roberts Rules of Order in accordance with Council Procedure Bylaw No. 1659, 2004 and Committee members are expected to adhere to the RMOW's conflict of interest policies.

BACKGROUND

In 2003, an accessibility audit of Whistler Village was prepared as part of the bid for the 2010 Olympic and Paralympic Winter Games. Over the corresponding period, 2010 Legacies Now developed the Measuring Up accessibility and inclusivity framework for communities in British

Columbia. In 2006 Whistler was approached by Legacies Now to become a Measuring Up pilot community.

Measuring Up promotes active participation of people with disabilities in all aspects of community life. Active participation involves accessibility (addressing barriers) and inclusion (welcoming and enabling participation). Measuring Up provides means to evaluate community progress in enabling people with disabilities to enjoy active participation.

As a Measuring Up pilot community, the Resort Municipality of Whistler (RMOW) launched an effort to address the barriers identified by the access audit and began developing an accessibility strategy. Community members were invited to form an advisory group to assist staff in identifying priorities and appropriate remedies. The early focus was on pressing needs such as the installation of ramps at the previously un-accessible Whistler Village breezeway and other infrastructure improvements.

The initiative included a community-driven enhancement process as well as the formation of a Measuring Up Select Committee of Council. These initiatives aim to improve the visitor experience and the autonomy and independence of all community members.



TERMS OF REFERENCE

WHISTLER

MEASURING UP COMMITTEE

Authority: Section 142 of the Community Charter Select Committees of Council

Background: In 2003, an accessibility audit of Whistler Village was prepared as part of the bid for the 2010 Olympic and Paralympic Winter Games. Over a corresponding period, 2010 Legacies Now developed a framework referred to as *Measuring Up* for communities throughout the province to achieve accessibility and inclusivity. In 2006, Whistler was approached by Legacies Now to become a pilot community in the application of the *Measuring Up* framework. Shortly thereafter, the Whistler 2020 process, which responds to community needs and proposals, recommended developing an Accessibility Strategy to address the deficiencies revealed by the 2003 audit.

As a result, the Resort Municipality of Whistler (RMOW) launched an effort to address the barriers identified by the access audit and began the process of developing an accessibility strategy. Community members were invited to form an advisory group to assist staff in identifying priorities and appropriate remedies. To date, the effort has focused on delivering on action items rather than developing strategy, and the advisory group was loosely formed, with the intention of formalizing a committee in 2007. The early focus has been on pressing needs, low hanging fruit, such as the installation of ramps at the previously un-accessible breezeway, and in establishing credibility of the group. *Measuring Up* is about creating an accessibility strategy that encompasses much more than a focus on just physical change to the environment.

Measuring Up deals with the concept of the active participation of people with disabilities in all aspects of community life. Active participation involves both accessibility (addressing barriers) and inclusion (welcoming and enabling participation). As the name suggests, *Measuring Up* provides means by which communities may evaluate their progress in enabling people with disabilities to enjoy active participation.

The RMOW has now been granted *Measuring Up* funds of \$20,000 to begin a study of how to improve accessibility and inclusion for both citizens and visitors. The initiative will include a community-driven enhancement process as well as the formation of a Measuring Up Select Committee of Council. Together these initiatives aim to improve the visitors experience and the autonomy and independence of all community members. Since the RMOW has the opportunity to host the 2010 Olympic and Paralympic Games, it is imperative that all competitors, visitors, volunteers, officials and of course, citizens are able to participate, attend and have satisfactory options of whenever they would like to do these activities.

Mandate: The Committee members, staff and Whistler2020 Partners will work collaboratively to assess and improve community accessibility and inclusion focusing on the experiences of people with disabilities, but encompassing the whole community. This Committee will

review and improve local access and inclusion as based upon public input and participation on an ongoing basis. People with disabilities will be an active part of all this work.

Objective: As a key dimension of social inclusion this project will not only allow but also invite all community members to become more meaningfully engaged in civic decision-making. In this way, enriching the community fabric by reflecting the community's diversity, values and culture.

Goals/Execution: The *Measuring Up* Committee shall:

1. Provide the RMOW guidance and advice regarding accessibility within all of its departments and events that it collaborates on, including how the RMOW may become more inclusive in its operations;
2. Establish a reporting process that allows interested members of the public access to the progress of the Committee;
3. Provide an objective view in the public interest and fairly represent this view in RMOW public processes along with the organizations that they represent;
4. Recognize that the comments and recommendations of the MU Committee, represents one of a series of decision-making processes that enable members of Council to fully understand the issues under review, including their policy and budget consequences and potential impact on the public;
5. Receive referrals from Council and its committees for review and recommendations;
6. Recommend persons for appointment to other Boards, Committees and Task Forces as directed by Council;
7. Investigate funding opportunities available with respect to inclusion and accessibility and make recommendations to Council for expenditures related to such projects

Policies: Committee members are expected to adhere to the RMOW 's conflict of interest policies.

Initiating Projects: Based on the municipal commitments to an accessible and inclusive community, all significant capital projects will be inclusive. With completion of an accessibility master plan, budgets for development, maintenance, temporary exhibits and other initiatives should be identified and included in long-term capital planning processes.

The *Measuring Up* Committee will ensure that they have representation on all Whistler 2020 task forces; identifying any future actions or recommendations, which will continue to improve accessibility and inclusion. Potential projects will be evaluated with respect to sustainability principles within the context of the Whistler2020's Community Priorities, Strategy Descriptions of Success and Sustainability Objectives.

An example of a Whistler 2020 action, has resulted in the Advisory Design Panel create a seat for someone with expertise in accessibility and inclusion issues. This member should also be a member of the *Measuring Up* Committee to ensure that the committee will have comments on all new projects in the built environment.

Funding:	<p>Should donations be made for increasing accessibility and inclusion within the RMOW, the <i>Measuring up</i> Committee could make recommendations through the W2020 task forces that could include actions with other foundations or organizations.</p> <p>Any donation of prefabricated accessibility aids that are to be used on a RMOW site or at a partnered event will be subject to review process by the RMOW, with the assistance of the committee.</p> <p>Active engagement of agencies and organizations that support accessibility through grant funding will be sought and applicable grants will be applied for to continue to support the coordination of the <i>Measuring up</i> Committee.</p>
Temporary Exhibits and Events:	<p>An active component of Whistler's community life and resort experience is having temporary displays and elements that are included with sporting events, cultural festivals and heritage programs events, to assist in accommodating and including everyone. Key issues include the selection of appropriate portable accessible elements, the care and insurance of these temporary displays and elements as well as the commercial use of public property by private individuals.</p>
Reporting/ Communication:	<p>The <i>Measuring Up</i> Committee of Council shall provide comments and recommendations to Council, normally through meeting minutes and recommendations, staff reports and by delegation; with the exception of the required <i>Measuring Up</i> Reporting to Legacies Now, which will be a collaboration between <i>Measuring Up</i> Coordinator, Whistler2020 Sustainability Coordinator and the General Manager of Policy and Program Development and delivered to Council prior to being submitted to 2010 Legacies Now.</p> <p>The <i>Measuring Up</i> Committee of Council shall further assist staff in the preparation of Whistler's Accessibility Master Plan, policies and guidelines, and how it should be administered and implemented. This will involve an annual review of the capital accessibility plan and make recommendations on new projects and project priorities.</p> <p>An obvious benefit of the <i>Measuring Up</i> Committee would be raising awareness through public workshops, web-based public education forum and dedication ceremonies. Furthermore the program would benefit from public feedback received through various sources from residents and visitors alike. The Policy and Program Development Department will collect and share annual results arising from actions related to accessibility projects, policies and issues to develop a resource library.</p>
Chair and Membership:	<p>The Committee will consist of a chair and up to 12 additional members, including the <i>Measuring Up</i> Coordinator. Members shall be Sea-to-Sky residents and represent Whistler's major partners, business and community interests; with preference given to those with personal knowledge related to disability issues in the Whistler area.</p> <p>Membership shall be selected from a pool of eligible applicants representing the following interests:</p> <p>One RMOW Council member</p>

A representative working with disability issues in Whistler and working for Vancouver Coastal Health

A representative from the Mature Action Committee who has a reporting role to the committee

A RMOW staff member who deals with sustainability issues from Whistler-2020

A representative who deals with children's special-needs with School District #48

A business leader; as nominated by the Whistler Chamber of Commerce

A representative from the accommodation sector

A senior representative from Tourism Whistler; as nominated by the Board of Tourism Whistler

A representative from the Whistler Adaptive Sports Program who has a reporting role to and from the organizations Board of Directors

A member of the Senior Leadership Team from Whistler Blackcomb; as nominated by Whistler Blackcomb

2 members-at-large from the community, representing people with various disabilities and levels of disability

The *Measuring Up* Committee will allow information sharing and presentations to notify the committee about accessibility issues

Appointments: Council shall select and appoint members from those identified by the RMOW General Managers, Community partners and agencies representing the community. The committee members shall appoint a Chair for a two-year term, through a nomination and voting process.

Terms: Members will be invited to serve for a two year term, and at Council's discretion, subsequent terms

Quorum: A quorum will be 50% + 1 of the members of the Committee

Meetings & Decision Making: The *Measuring Up* Committee will set agendas and meeting times working with the Chair. The Committee is expected to operate by consensus and always follow ground rules established by the *Measuring Up* Committee.

Support: The RMOW shall provide a recording secretary to support the work of the Committee. Minutes of the Committee's meetings are recorded and distributed to Council.

Terms of Reference: Approved by Council of the Resort Municipality of Whistler at its October 6, 2009 Regular Meeting.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-013

FROM: Resort Experience

FILE: RZ. 1077

SUBJECT: RZ 1077 - Gross Floor Area Exclusion Amendment

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 (Gross Floor Area Exclusions) No. 2044, 2014”; and further

That Council authorize the Corporate Officer to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Gross Floor Area Exclusion) No. 2044, 2014”, and to advertise for same in a local newspaper.

REFERENCES

Appendix “A” – Illegal Space Task Force Draft Minutes from March 20th, 2014 meeting.

PURPOSE OF REPORT

This report is further to Report 14-013, Gross Floor Area Exclusion Regulations, received by Council on February 18, 2014 and brings forward a bylaw amendment as directed by Council to address issues related to current floor area exclusions as described in that report.

DISCUSSION

On February 18th, 2014, Council received Report 14-013 outlining some concerns that have become apparent related to the Gross Floor Area Exclusion regulations adopted in 2012. This report brings forward bylaw amendments to address priority issues related to:

- The definition of the basement floor area,
- Tests to ensure that the excluded area is essentially in the ground,
- The potential for building up of existing grade to create a below ground basement area; and
- The potential for multiple basement areas and overlapping exclusions.

These issues have the potential to significantly affect the massing of the residential building, with negative impacts on neighbouring properties and neighbourhood character.

The February 18th Council report also addressed considerations related to current retaining wall regulations and their relation to site grading and building mass. This issue has its own complexities, and will be addressed by a further bylaw amendment at a later date.

The preparation of the proposed amendments to the zoning bylaw for Council consideration contained in "Zoning Amendment Bylaw (Gross Floor Area Exclusion) No. 2044, 2014", has involved numerous meetings of staff, consultations with legal counsel, and meetings with the members of the Illegal Space Task Force. The solutions developed and presented in the bylaw address the issues identified, achieve the intent to make provisions for basement floor area exclusions for existing and new construction, and incorporate language with flexibility to address a full range of site conditions.

The amending bylaw is summarized as follows:

- Section 5.25.1 maintains the current rules for existing detached and duplex dwellings (permits issued prior to April 1, 2014);

Dwellings that qualify shall be required to adhere to the original, simple basement exclusion rules. This allows the RMOW to capture the largest number of existing nonconforming dwellings.

- Section 5.25.3 introduces more restrictive rules for new detached and duplex dwellings (permits issued after April 1, 2014) by adding additional tests for the eligible excluded basement floor area in new buildings as follows;

- Must be at least 40% below the existing ground elevation,
- Must be 1 metre below the average existing ground elevation,
- A maximum of 60% of the walls can be exposed above finished ground elevation,
- Requires that any mechanical spaces not located in an excluded basement be counted as gross floor area.

These additional tests ensure that the basement area is located primarily below ground and are targeted to address sloping lot conditions as originally intended through the work of the Illegal Space Task Force. The current test is that the basement floor area is to have an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building. The new tests relate to existing ground elevation, as well as finished ground elevation, ensuring that excluded basements go down into the ground, rather than the grade being raised. The revisions also address the issue of excluded areas for fixed machinery and equipment located above or below excluded basement areas. These areas are to be counted as gross floor area or relocated to the excluded basement area, thereby reducing potential building mass.

Section 25.3 also adds the method for calculation of average existing ground elevation on the subject parcel and makes provisions that take into consideration grading on abutting parcels, where grades may have been altered through previous construction and impact the siting of the new dwelling.

This will be a 'weighted' calculation, similar to how the Zoning Bylaw addresses roof height calculations. It will be based on the existing grades at the proposed building footprint and the length of each individual wall. Allowances are made to take into consideration site grading that has taken place on abutting properties in determining the existing grade for the subject property.

- Sections 5.25.2 and 5.25.4 make provisions to exclude the lowest floor for exceptionally steep lots for existing and new detached and duplex dwellings respectively;

These provisions specifically address parcels that are so steep that the dwelling has two levels below the street. Typically, the lowest level would be a covenanted crawlspace area. Under the new rules, this space can be excluded from the calculation of gross floor area (“gfa”).

- Section 5.25.5 puts in place a rule for new detached and duplex dwellings that effectively limits the basement floor area exclusion to one level of basement floor.

In addition, to implement these changes, the proposed bylaw also:

- In Section 2 amends the definition of “basement” to specifically identify that it does not apply to the excluded basement floor area provisions of Section 5.25; and
- Amends Section 5.14.1 to allow basement areas located under garages to have the same front parcel line setback as the garage, which is 5 metres.

Further, the language of these provisions has been developed to allow partial basement floor area exclusions, for the portions of the basement that meet the applicable tests. If a complete basement floor doesn’t qualify under the new rules, the language of the bylaw allows home owners of both existing and new dwellings to partially exclude basement areas that do qualify. This can reduce potential massing on a site, by locating some gfa on the same level as the excluded space.

These changes have also been reviewed relative to current building permit information requirements. Currently applications typically provide existing and proposed finished grade and have a survey of existing conditions. The new requirements affect the timing of when the survey is required but do not impose an additional obligation.

WHISTLER 2020 ANALYSIS

Specific policies identified in the Whistler 2020 plan that are pertinent to this Zoning Bylaw Amendment are listed below:

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewsapes and evoking a dynamic sense of place.	Revisiting the Excluded GFA regulations would ensure that: 1. New construction continues to fit with the character of existing neighbourhoods, and 2. Existing viewsapes are protected.
	Limits to growth are understood and respected.	Revisiting the excluded GFA regulations would clarify the allowable limits and minimize inappropriately sized development in residential neighbourhoods.
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	Continuing to allow for GFA exclusions provides owners of existing properties the opportunity to sort out permitting and legitimize nonconforming spaces, thereby raising potential value.

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

none		
------	--	--

OTHER POLICY CONSIDERATIONS

Specific policies identified in Whistler's Official Community Plan that are pertinent to this Zoning Bylaw Amendment are listed below:

OCP Section & Policy Number	Policy	Comments
Growth Management Policy 3.1.2.3	Ensure new land use and developments are complimentary to existing development and add to Whistler's success;	These Zoning Bylaw Amendments are intended to ensure that new dwellings complement existing neighbourhoods.
Land Use & Development Policy 4.2.1.5	Recognize market housing, including second homeownership, as a critical component of Whistler's housing mix and local economy."	The proposed amendments continue to permit the exclusion of basement floor area from the calculation of Gross Floor Area; thereby providing an opportunity for owners of existing market homes to ratify nonconforming spaces.

BUDGET CONSIDERATIONS

The proposed Zoning Amendment Bylaw was initiated as an internal application; therefore applicable staff time is not billable. Costs associated with Public Open House and Public Hearing advertising, along with expenses due to legal review of the proposed bylaw will be incurred.

COMMUNITY ENGAGEMENT AND CONSULTATION

The proposed amendments were reviewed by the Illegal Space Task Force on February 25th, March 5th, and March 20th. The bylaw presented to Council is the result of considerable work by staff in conjunction with significant input from the ISTF. The ISTF supported the direction and approaches contained in the draft bylaw presented at the March 20th meeting subject to some minor revisions. The draft meeting minutes including the Task Force resolution from that meeting are attached to this report as Appendix "A". Staff have amended the draft bylaw working with legal counsel and the chair of the ISTF, consistent with the consensus directions determined with the task force.

The *Local Government Act* requires that Zoning Bylaw amendments be reviewed at a Public Hearing. This report requests Council to direct staff to schedule the public hearing.

The proposed bylaw amendments are also being communicated to community members as part of this year's building and development communications initiative, which is directed at assisting community members in understanding application and processing requirements, seeking to insure early preparation, remove uncertainty and avoid costly delays.

SUMMARY

This report presents "Zoning Amendment Bylaw (Gross Floor Area Exclusion) No. 2044, 2014" for Council's consideration of first and second readings.

Respectfully submitted,

Roman Licko
PLANNING TECHNICIAN
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE



WHISTLER

MINUTES

REGULAR MEETING OF ILLEGAL SPACES TASK FORCE COMMITTEE (ISTFC)

THURSDAY, MARCH 20, 2014,
STARTING AT 12:36 P.M.

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

Members - Present

Duane Jackson, Councillor, Chair
Chris Addario, Ario Construction
Jim Charters, The Whistler Construction Co.
Rod Nadeau, Innovation Building Group

Members - Absent

David Girard, Peak Ventures Ltd.

Municipal Staff

Robert Brennan, Planner & ISTFC Secretary
Chris Nelson, Deputy Fire Chief
Jan Jansen, General Manager Resort Experience
Joe Mooney, Manager Building Services
Mike Kirkegaard, Director of Planning
Richard Diamond, Building Official III
Roman Licko, Planning Technician
Kay Chow, Recording Secretary

Adoption of Agenda

Moved by J. Charters
Seconded by C. Addario

That ISTFC adopt the Regular ISTFC agenda of March 20, 2014.

CARRIED.

Adoption of Minutes

Moved by J. Charters
Seconded by C. Addario

That ISTFC adopt the Regular ISTFC minutes of January 10, 2013 and
March 5, 2014.

CARRIED.

DISCUSSION

Recap

Mike Kirkegaard provided a recap of the Task Force's work to date.

1. Gross Floor Area Exclusions bylaw is in place; overall support for in ground basement exclusions.
2. Heading in a focused direction.
3. Two recent projects have come to light which affect massing and have impacts to the neighbourhood. What should we look at, in order to address these types of scenarios?
4. Staff has identified, thoroughly reviewed and discussed the various types of scenarios that could occur.

5. Could the proposed bylaw amendments create other problems?
6. Intent is to develop regulation that broadly applies but does not create problems where we are supportive of a proposal. Therefore the proposed amendments to the regulation have become more complex.
7. Staff seeks to wrap up and move forward with the proposed bylaw amendments and to get them in place for the 2014 building season.

Zoning Amendment
Bylaw (Gross Floor Area
Exclusions) No. 2044,
2014
File No. RZ1077

1. Staff has received legal opinion regarding bylaw interpretation regarding calculation of partial exclusions. Staff can take the language as it is and interpret it to perform partial exclusion calculations.
2. Staff provided an overview of the method of calculation for weighted average.
3. Task Force members were supportive of the concept of the calculation method.
4. Staff provided an overview of the proposed bylaw amendments, highlighting changes made as a result of discussions at the March 5, 2014 meeting.
5. For existing dwellings, Section 5 subsection 25.1 added date "prior to April 1, 2014".
6. It was noted there was an error in the meeting package materials draft proposed amendments. Section 5 subsection 25.1 a) (i) and 25.1 a) (ii) were erroneously included in the draft and will be struck from the proposed amendments.
7. For new dwellings, Section 5 subsection 25.2 added date "after April 1, 2014".
8. Section 5 Subsection 25.3 and 25.4 address extremely steep lots.
9. Section 5 Subsection 25.6 addresses infill lots. Staff advised that replacement language was received from the municipal lawyers subsequent to distribution of the meeting package.
10. The Task Force discussed the proposed bylaw amendments and technical aspects and issues.
11. Remove reference to elevators.
12. Section 5 Subsection 25.6, revise wording "... lots whose grade has been elevated." i.e. eliminate "... retaining walls..." and change to "... whose grade had been elevated at adjacent parcel lines."
13. Re-order and re-number paragraphs; consider adding headers for quick reference.

Moved by J. Charters
Seconded by R. Nadeau

That the Illegal Spaces Task Force Committee supports the proposed bylaw amendments subject to changes as discussed.

CARRIED.

Moved by D. Jackson

That ISTFC adjourn the March 20, 2014 committee meeting at 2:00 p.m.

CARRIED.

Chair: Councillor Duane Jackson

Secretary: Robert Brennan

cc: 7645.01

DRAFT



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-030

FROM: Resort Experience

FILES: DVP 1066, DVP 1067,
DVP 1068, DVP 1069, DVP 1070

SUBJECT: DVPs 1066, 1067, 1068, 1069, AND 1070 – BEAR PAW TRAIL ACCESS
ROAD RETAINING VARIANCES

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council approve Development Variance Permit 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.

REFERENCES

Locations: 8461, 8465, 8469, 8473, and 8477 Bear Paw Trail.

Legal Descriptions: Strata Lots 33, 34, 35, 36, and 37

Strata Plan Strata Plan BCS 3125

District Lot 7302, Group 1, NWD

Owners: Whistler Rainbow Properties

Zoning: CD1 (Comprehensive Development One)

Appendices: “A” - Location Plan
“B” – Plans of Proposed Variances
“C” – Alternate Scenario and Calculations
“D” – Letter from Applicant
“E” – Sample Planted Wall Photos
“F” – Site Photos

PURPOSE OF REPORT

This report introduces Development Variance Permit No's. 1066, 1067, 1068, 1069, and 1070. Together, these five applications form a joint request to vary setbacks at 8461, 8465, 8469, 8473, and 8477 Bear Paw Trail in order to accommodate the retaining required to construct a common access road for these parcels.

DISCUSSION

The subject properties are all large, steeply sloping uphill lots located on the West side of Bear Paw Trail as it climbs the hill Northward after the intersection with Rope Tow Way. These applications are being considered together as they provide for a common approach to all of the parcels. Separate development variance permit applications have been submitted for each parcel.

As noted, there is a very large uphill change in grade from the front to the rear of these parcels. This is shown in the Site Photos attached as Appendix "F". Table 1 shows surveyed elevations at the front and rear of each property.

Table 1

Application No.	Parcel	Civic Address	Front Elevation	Rear Elevation	Difference (Grade Change from front parcel line to rear parcel line)
DVP 1066	Lot 33	8461 Bear Paw Trail	659.1 m	679.2 m	20.1 m (approx. 66 ft)
DVP 1067	Lot 34	8465 Bear Paw Trail	658.4 m	685.2 m	26.8 m (approx. 88 ft)
DVP 1068	Lot 35	8469 Bear Paw Trail	661.5 m	688.2 m	26.7 m (approx. 87.5 ft)
DVP 1069	Lot 36	8473 Bear Paw Trail	663.9 m	689.3 m	25.4 m (approx. 83.25 ft)
DVP 1070	Lot 37	8477 Bear Paw Trail	664.8 m	690.1 m	25.3 m (approx.. 83 ft)
Average Grade Change:					24.9 m (approx. 81.75 ft)

Access Road Proposal

The lots could all be accessed from Bear Paw Trail, with the dwellings built at the road elevation; however this would result in an excessive cut condition behind the homes, requiring an enormous amount of fill to be removed, and essentially leaving no back yards, and the majority of the each parcel at a much higher elevation. The applicant wishes to break this one large cut into a series of three smaller cuts. This approach would cause considerably less site disturbance while providing superior siting for the new dwellings which are market units.

Given the grade change, the applicant, Whistler Rainbow Properties, wishes to make the best use of these parcels by developing the dwellings at high elevation, toward the rear of the properties. This way, the homes will benefit from both yards and views. The intent is to construct an access road that climbs diagonally across the subject parcels and then doubles back to provide house access at high elevation.

As shown in the plans attached as Appendix "B", the proposed access road and lot development would require a series of three stepped retaining walls crossing all five lots, and running roughly parallel to Bear Paw Trail. Requested variances are indicated in Table 2:

Table 2

	Location	Function	Requested Variances
Wall 1	At rear parcel lines.	Retains hillside above second sweep of access road.	<ul style="list-style-type: none"> From: 25.0 m To: 0.0 m At rear parcel lines.
Wall 2	Above first sweep of access road.	Retains the subject parcels above road.	<ul style="list-style-type: none"> From: 3.0 m To: 0.0 m At side parcel lines.
Wall 3	At front parcel lines adjacent to Bear Paw Trail.	Retains the first sweep of access road.	<ul style="list-style-type: none"> From: 5.0 m To: 0.0 m At front parcel lines.

Alternate Scenario

In support of this application the proponent has provided schematics and calculations for two possible scenarios. These are attached to this report as Appendix "C", and show:

1. The preferred common access road scenario ("Scenario 1") described above; and
2. An alternate scenario with individual lot access directly from Bear Paw Trail ("Scenario 2").

This work shows that there is a significantly less site disturbance/ removal of material with the preferred scenario as shown in Table 3:

Table 3

Cut/ Fill	Scenario 1 (preferred): Common Access Road	Scenario 2: Individual access.	Comment
Total Fill	12 688 m ³	491 m ³	N/A
Total Cut	20 916 m ³	22 222 m ²	N/A
Net Cut/ Fill	- 8 227 m ³	-21 730 m ³	Amount of material that needs to be removed from development site.*
Truckloads (@ 14 m ³ per truck)	588	1 552	Approximate number of truck loads to be removed.*

**There is potential for these numbers to increase as the loose fill will take up more volume than when compacted.*

Table 3 shows that nearly 3 times as much material would need to be removed for the scenario with individual lot access. The preferred scenario balances the necessary cuts and fills in a superior manner. The proponent has also submitted a letter of rationale; this is attached as Appendix "D".

Landscaping and Screening

The retaining walls are proposed to be reinforced earth MSE walls. These walls will be stepped back toward the hillside as they climb, thereby providing locations for planting, with the long term

intention of obscuring the walls behind the greenery. To that end, the proponent has engaged Tom Barratt Landscape Architecture to create a landscape and planting plan appropriate to the Whistler environment. This plan is pending; bonding will be required to ensure the work is done per the landscape plan. Sample photos of planted MSE walls were provided by the applicant, and are attached as Appendix "E".

DVP Criteria

Staff have developed internal evaluation criteria for DVP applications, as presented to Council on September 3rd, 2013. Tables 4 and 5 describe how these five applications compare to this standard:

Table 4

Evaluation Criteria	DVP 1071
Complements a particular streetscape or neighbourhood.	Proposal breaks up the change in grade & provides an opportunity to landscape/ plant the retaining walls. The superior building siting and additional vegetation complement the neighbourhood.
Works with the topography on the site, reducing the need for major site preparation or earthwork.	The site topography is extremely challenging. Any development of these parcels will require considerable earthwork; however the preferred option has been proven to be significantly less invasive.
Maintains or enhances desirable features such as natural vegetation, trees, and rock outcrops.	N/A
Results in superior siting with respect to privacy.	Proposal will provide superior views and increased privacy.
Enhances views from neighbouring buildings and sites.	N/A

Table 5

Potential Negative Impacts	DVP 1071
Is inconsistent with neighbourhood character.	The Rainbow neighbourhood is characterized by steep slopes and stepped rock stack retaining walls. This proposal is consistent with that character, but improves the typical retaining condition by providing planting.
Increases the appearance of building bulk from the street or surrounding neighbourhood.	The buildings would be set back further from the road and at much higher elevation; thereby reducing their perceived massing.
Requires extensive site preparation.	The preferred scenario balances the cut/ fill condition much better than the alternate scenario.
Substantially affects the use and enjoyment of adjacent lands (ie: reduces light access, privacy, views).	Proposal does not affect use and enjoyment of neighbouring properties.
Requires a frontage variance to permit a greater gross floor area, with the exception of a parcel fronting a cul de sac.	N/A
Requires a height variance to facilitate gross floor area exclusion.	N/A
Results in unacceptable impacts on services (ie: roads, utilities, snow clearing operations).	Proposal does not unacceptably impact services.

Based on the established criteria, staff support these applications as they provide enhanced building siting, reduce land disturbance and enhance livability. The new dwellings would have superior siting, views, privacy and reasonably sized yards. The neighbourhood would benefit by breaking up a potentially huge retaining wall behind the dwellings into a series of smaller walls. Landscaping and planting will provide further benefit.

Further Variances

The current applications are for retaining walls only, and do not address building setbacks. The existing building setbacks are 5m/ 3m/ 25m (front/ side/ rear), designed in anticipation of dwellings developed near the front of the parcel at road level. Should Council support DVP's 1066 through 1070, staff and the proponent anticipate returning with additional variance applications to reverse the front and rear setbacks, as this would better address the revised development scheme. Unfortunately, this issue was identified after notices were sent to surrounding neighbours, so this simple reversal cannot be included in the current applications. New notices will need to be delivered outlining this consideration. The applicant has indicated a desire to proceed with the current application, recognizing that further notice and Council approval to vary the existing setbacks may be necessary.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Limits to Growth are understood and respected.	Proposal respects all provisions of the Zoning Bylaw apart from setbacks for access road retaining.
	The built environment is attractive and vibrant, reflecting the resort community's character, protecting views, and evoking a dynamic sense of place.	Proposal will fit the character of the neighbourhood, and provide superior siting and views to the lake and mountains across the valley.
	Continuous encroachment on nature is avoided.	Proposal is contained entirely within previously disturbed lands.
	Landscaped areas consist of native plant species that eliminate the need for watering and chemical use.	A landscape plan prepared by a registered Landscape Architect and incorporating native species is pending.
Economic	The Whistler economy provides opportunities for achieving competitive return on investment.	By reducing the amount of cut and fill, this proposal would significantly reduce the development costs for these parcels. Further, the superior siting would make these market lots more saleable.

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

OTHER POLICY CONSIDERATIONS

N/A

BUDGET CONSIDERATIONS

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

COMMUNITY ENGAGEMENT AND CONSULTATION

Part 922 of the Local Government Act authorizes Council to vary the provisions of a Zoning Bylaw by way of a resolution provided surrounding property owners are notified at least 10 days prior to the adoption of the resolution. To that end, notices were delivered on February 28th, 2014. At the time of writing this report (March 19th), no responses had been received. Should staff receive any correspondence from affected neighbours, this will be made available to Council at the April 1st regular meeting.

SUMMARY

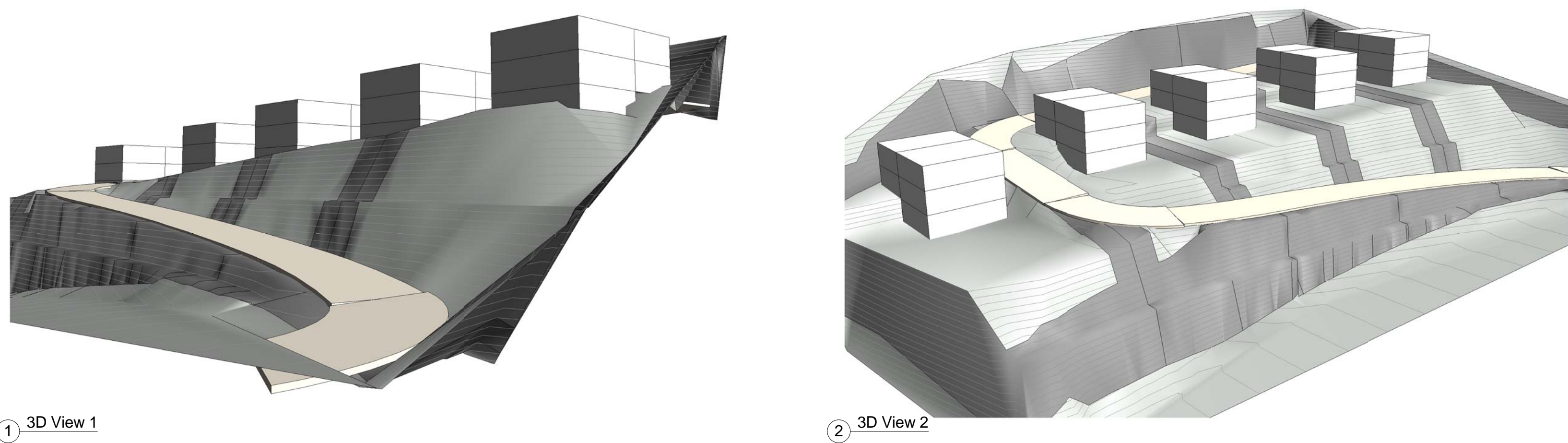
Development Variance Permit Application No's. 1066, 1067, 1068, 1069, and 1070 request Council's consideration to vary the building setback requirements at 8461, 8465, 8469, 8473, and 8477 Bear Paw Trail in order to accommodate the retaining required to construct a common access road for these parcels. This application has staff support.

Respectfully submitted,

Roman Licko
PLANNING TECHNICIAN
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

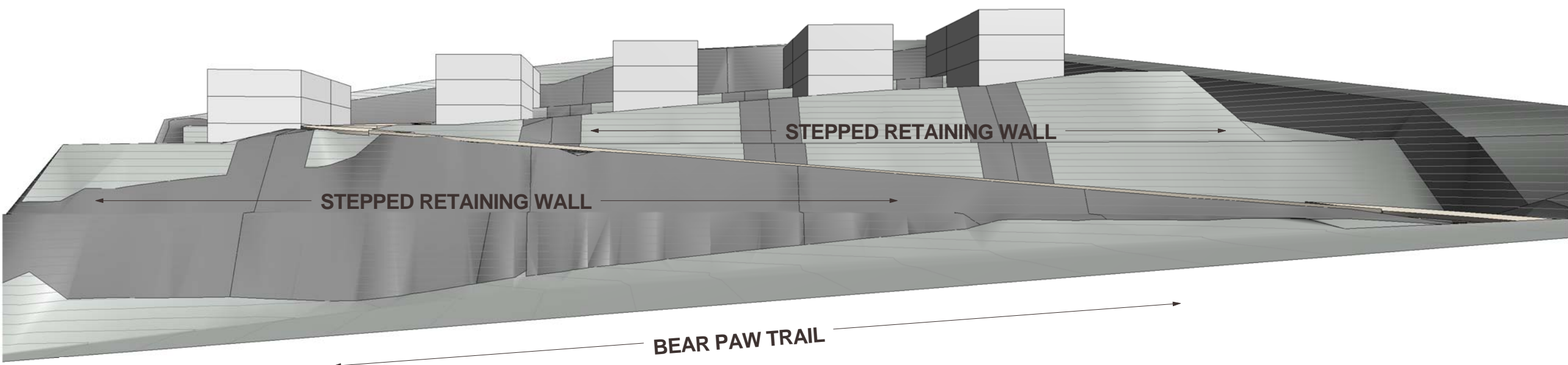
DVP's 1066, 1067, 1068, 1069, and 1079 Location Plan





1 3D View 1

2 3D View 2



3 3D View 3

OPTION A TOPOGRAPHY SCHEDULE			
Name	Fill	Cut	Net cut/fill
NEW TOPO	8048.381 m³	13345.830 m³	-5297.448 m³
	1456.146 m³	314.524 m³	1141.622 m³
	1668.592 m³	904.870 m³	763.722 m³
	1126.675 m³	1249.254 m³	-122.579 m³
	377.456 m³	1997.073 m³	-1619.617 m³
	10.910 m³	3103.967 m³	-3093.057 m³
Grand total: 6	12688.162 m³	20915.519 m³	-8227.357 m³



5 Key Plan
1 : 1000

PROPOSED WORKS

- NEW 6.5M WIDE ACCESS ROAD TO LOTS 33-37. MAX GRADIENT 8%. MINIMUM RADIUS 12m TO ROAD CENTRE. HAMMERHEAD TURNAROUND AS SHOWN FOR FIRE TRUCK ACCESS.
- SERVICE CONDUIT(S) FROM BEAR PAW TRAIL TO EACH LOT - MIN. 5' COVER. CONTAINING -
 - WATER
 - ELECTRICAL / TELECOMM.
 - SEWER
 - STORM DRAIN
- NEW RETAINING WALLS (ROCK STACK OR MSE AS PER GEOTECHNICAL ENG. - SEE REPORT)
- CONTINUOUS CONCRETE BARRIER ON EXPOSED ROADSIDES AS SHOWN.
- SNOW STORAGE AREAS AS SHOWN.
- 1 - 2m DEEP DRAINAGE DITCHES AT RETAINING WALLS 1 & 2, LEADING TO STORM DRAINS, AS SHOWN.

VARIANCE REQUIRED

- RETAINING WALLS LOCATED WITHIN SETBACK AREAS OF LOTS 33, 34, 35, 36, 37 AS SHOWN
- VARY THE FRONT AND REAR SETBACKS SO THAT THEY ARE REVERSED (25m FRONT SETBACK, 5m REAR AS SHOWN).

SERVICES FOR EACH LOT MIN. 5' COVER

- 1) WATER
- 2) ELEC / COMMS.
- 3) STORMDRAIN
- 4) SEWER

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
	3	Hi: 669.6 Lo: 661.5
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
	3	Hi: 667.8 Lo: 663.9
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

*Levels taken at section points through each lot



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project

1316

RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client

RAINBOW PROPERTIES
LTD

Stage

PLANNING

Sheet Name

PLAN & CONTEXT

Drawn By

JH

Checked By

DV

Scale

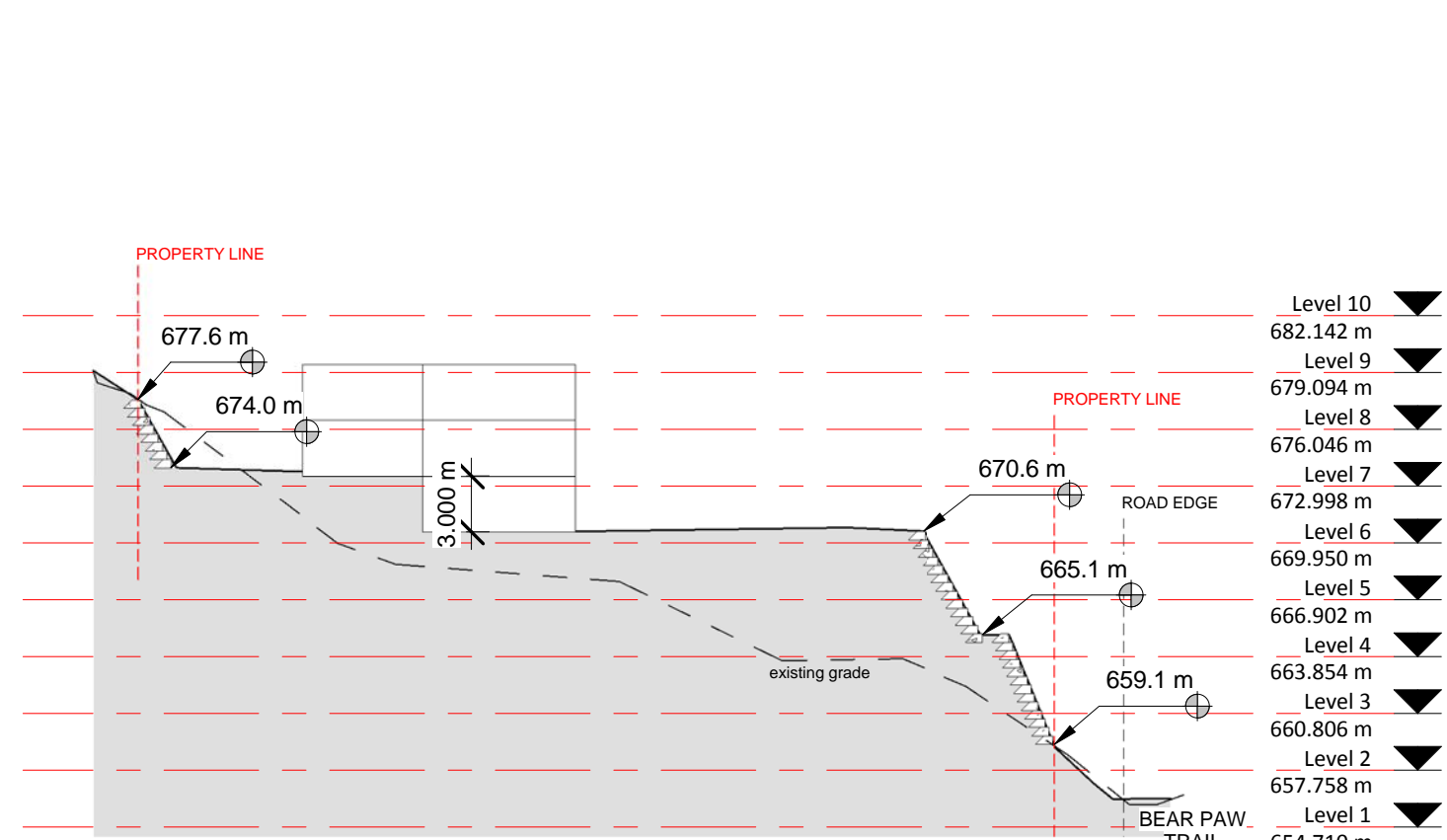
As indicated

Date

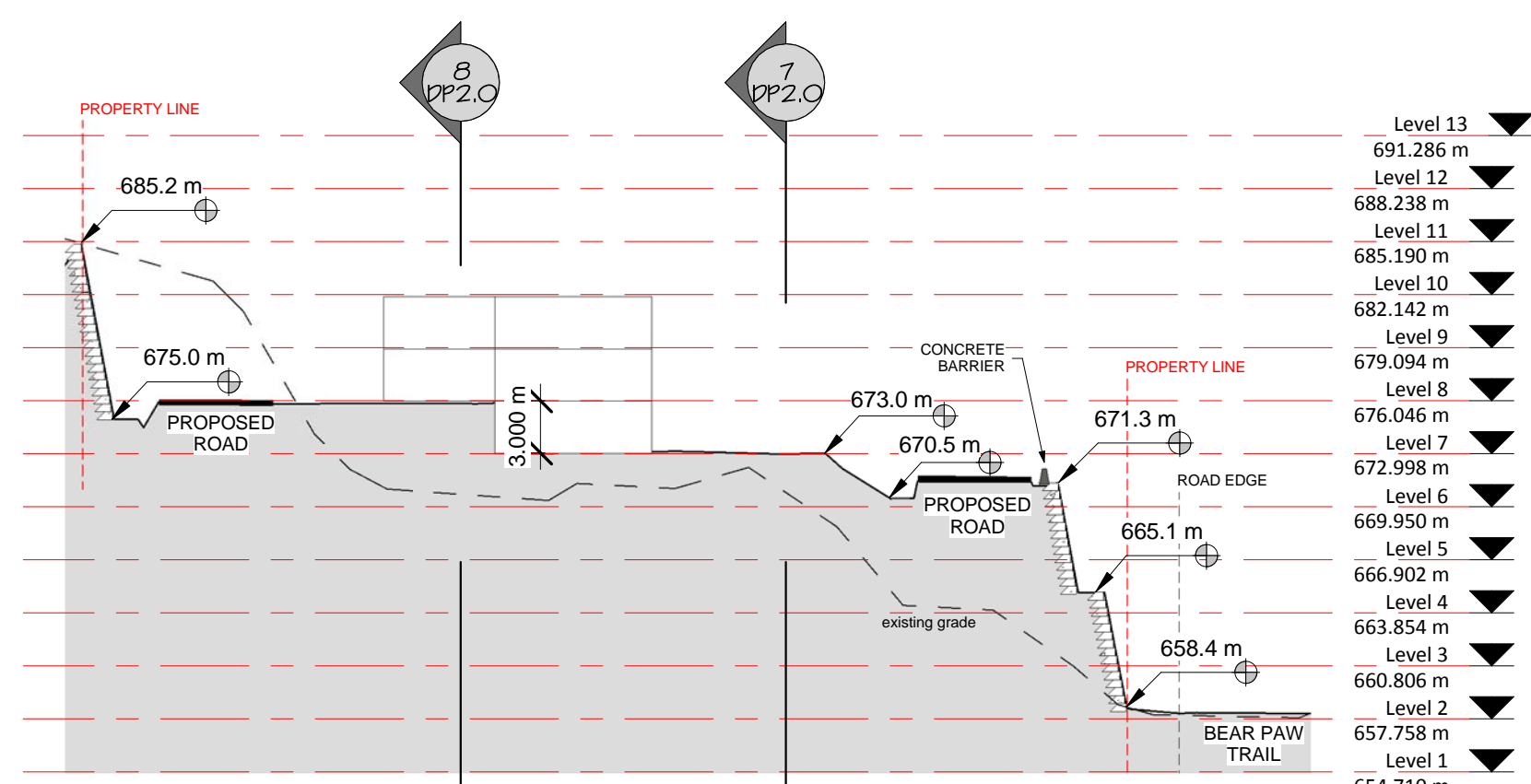
18 MAR 2014

Sheet no.

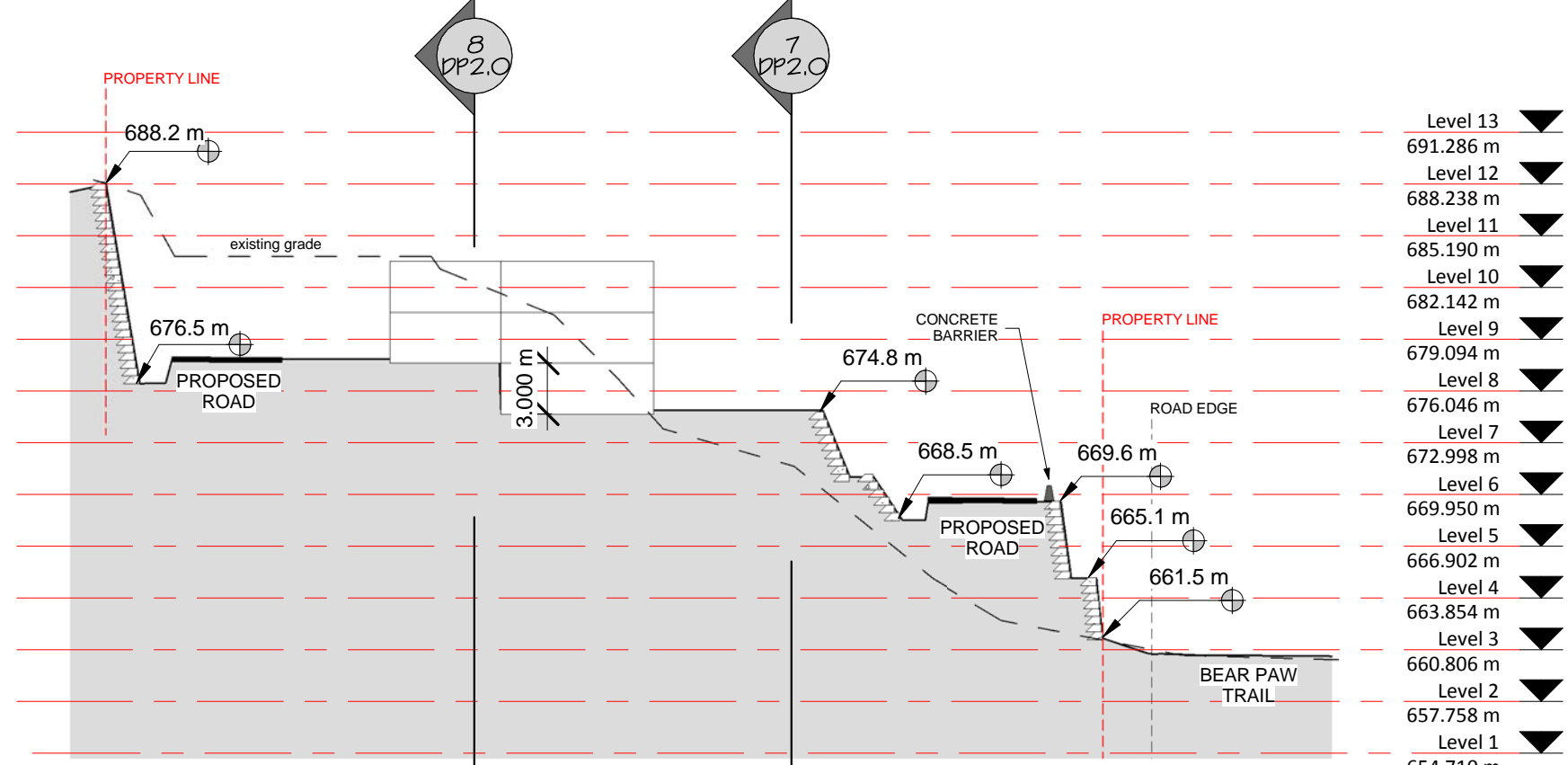
DP1.0



① SECTION LOT 33
1 : 400



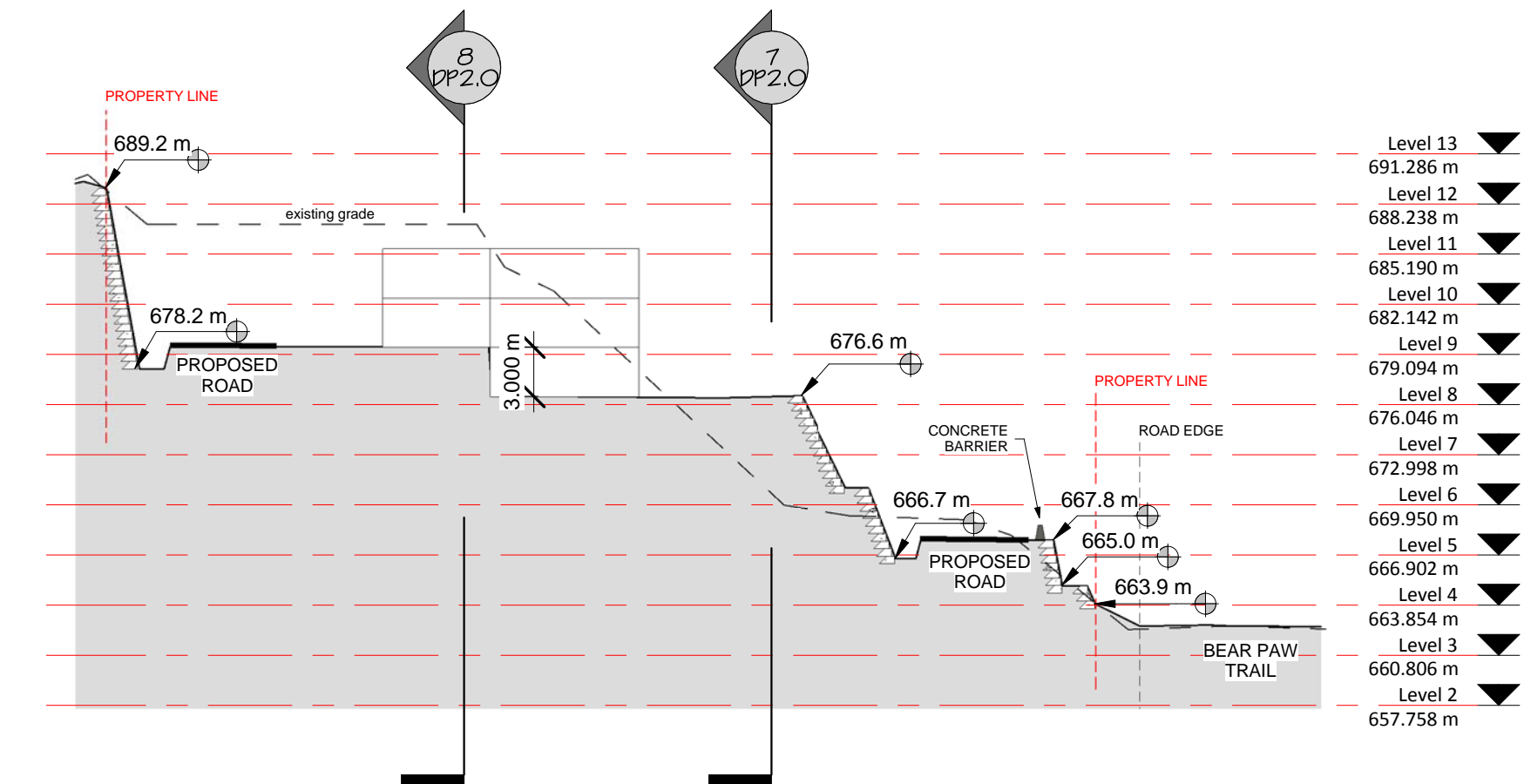
② SECTION LOT 34
1 : 400



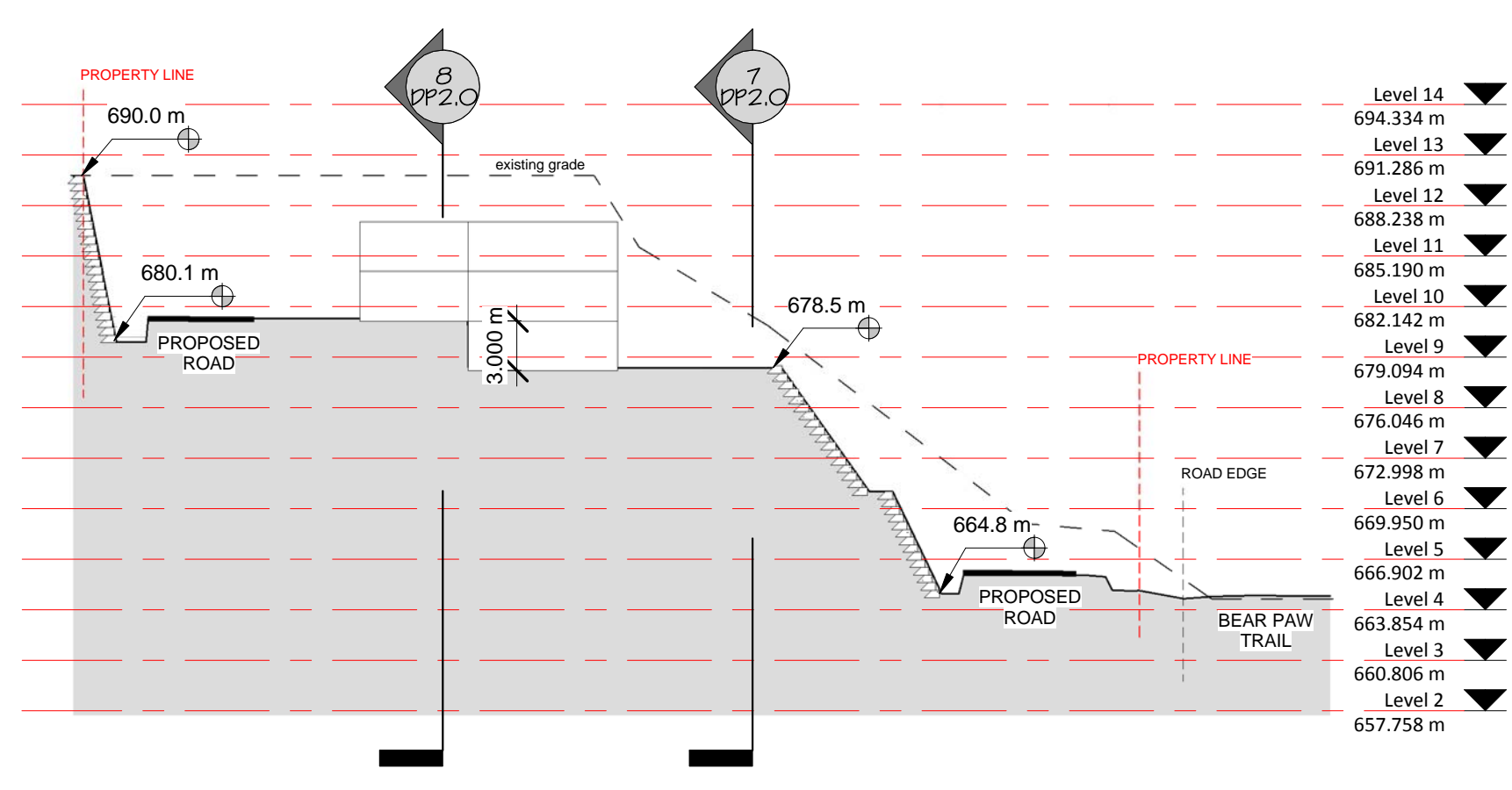
③ SECTION LOT 35
1 : 400

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
	3	Hi: 669.6 Lo: 661.5
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
	3	Hi: 667.8 Lo: 663.9
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

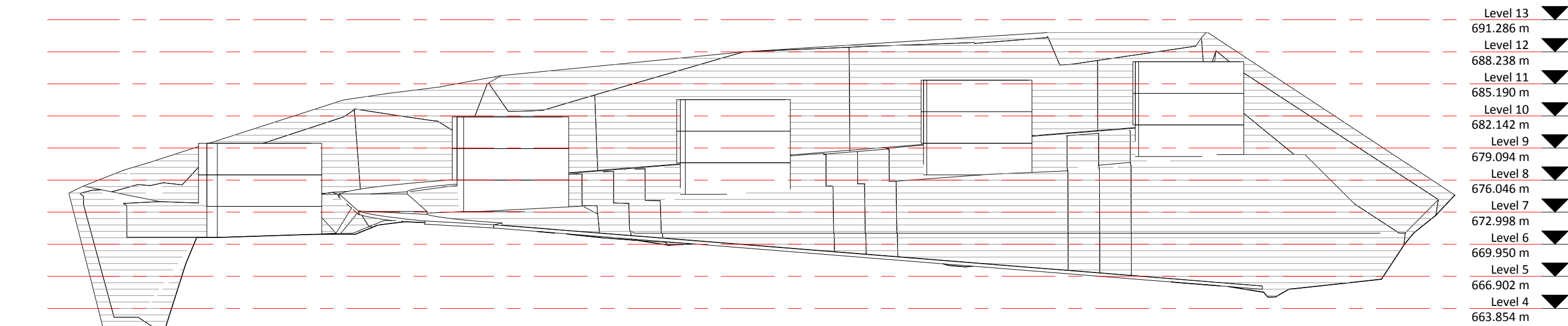
*Levels taken at section points through each lot



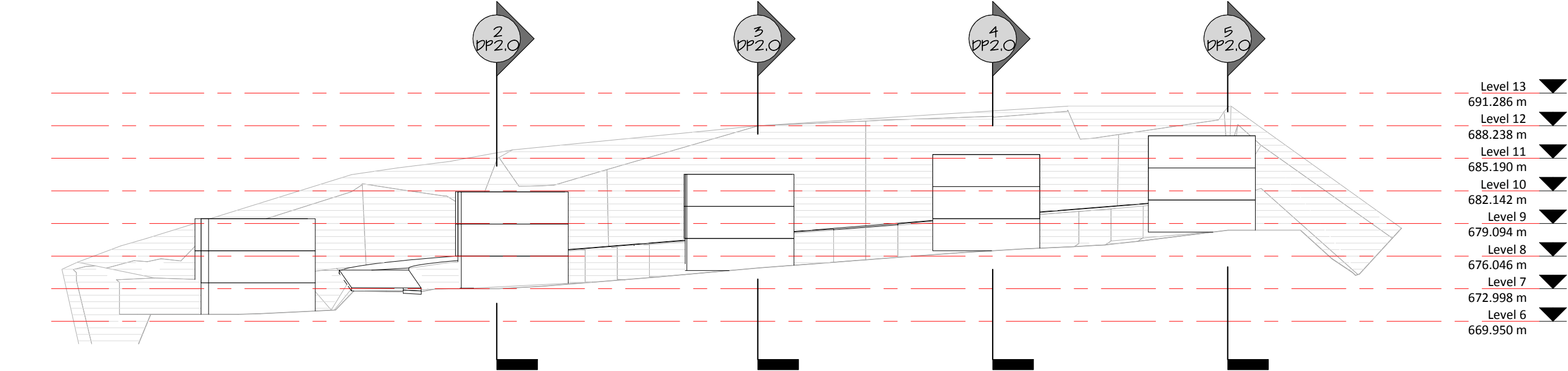
④ SECTION LOT 36
1 : 400



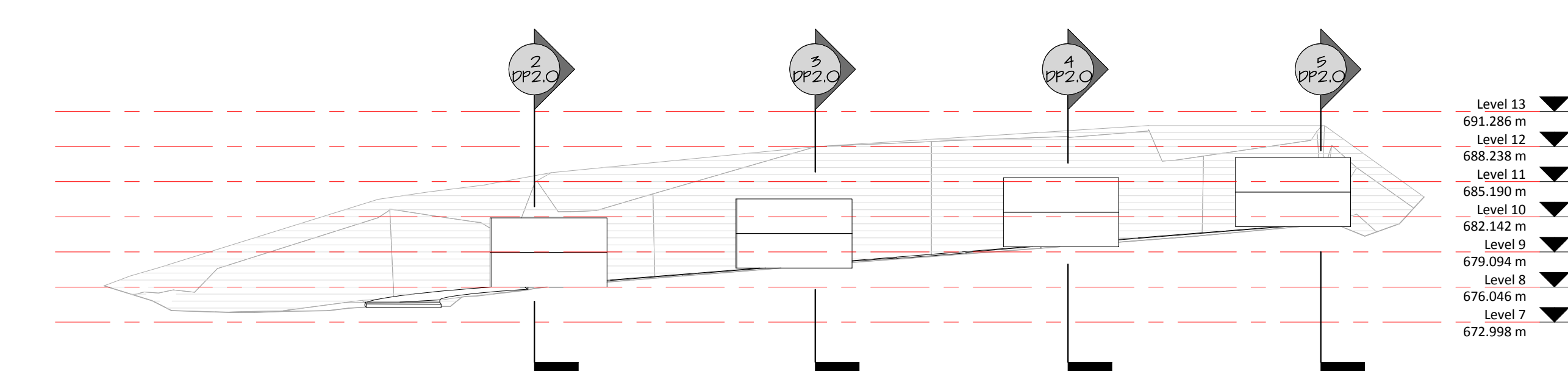
⑤ SECTION LOT 37
1 : 400



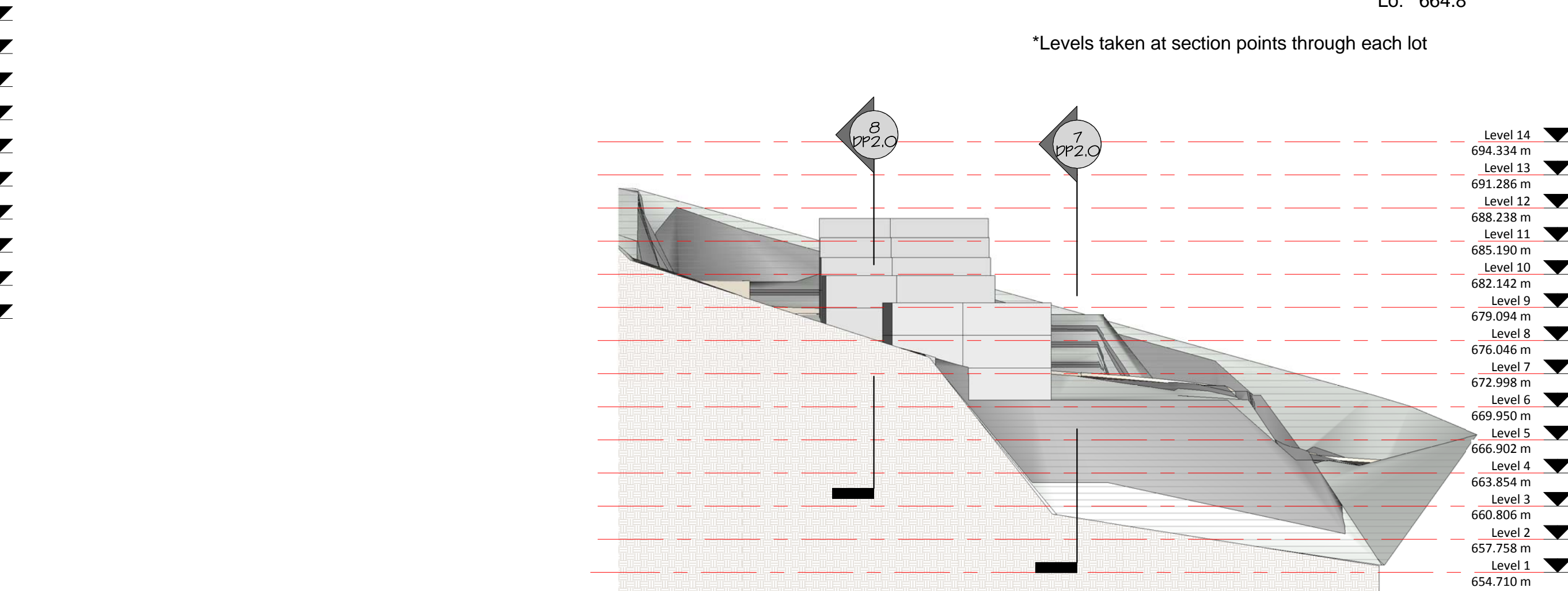
⑥ Section 4
1 : 400



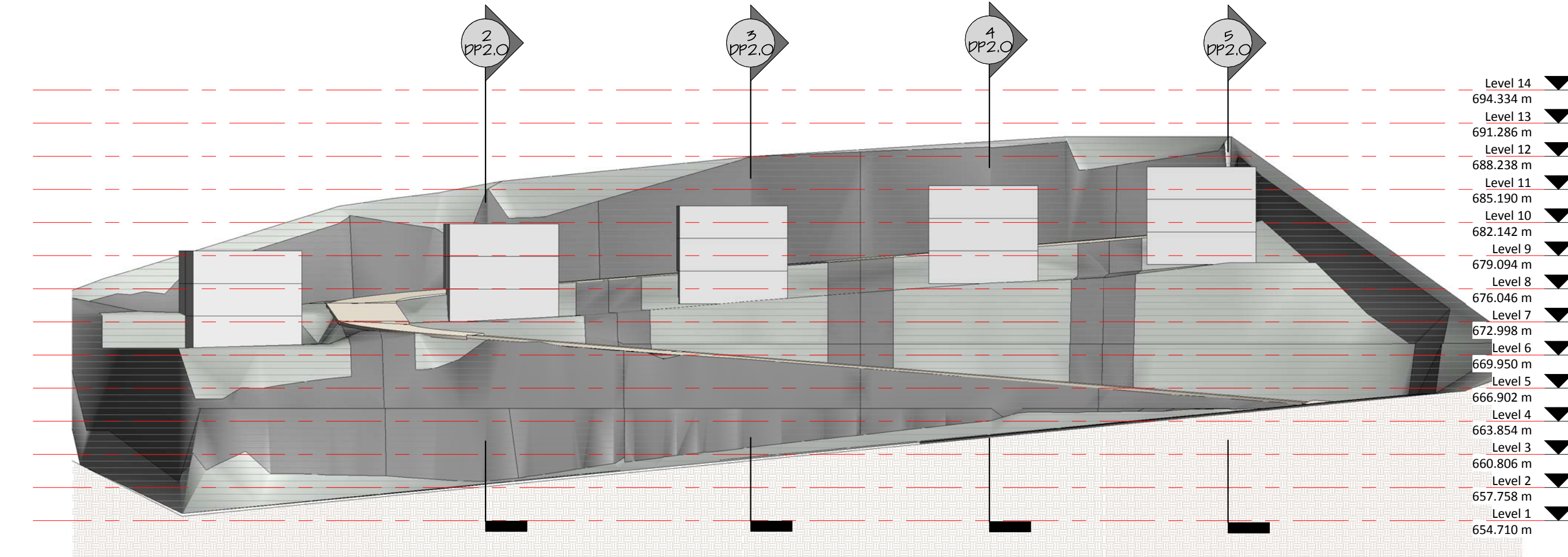
⑦ Section 5
1 : 400



⑧ Section 6
1 : 400



⑨ Elevation EAST
1 : 400



⑩ Elevation NORTH
1 : 400



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project

1316
RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client

RAINBOW PROPERTIES
LTD

Stage

PLANNING

Sheet Name

SECTIONS & ELEVATIONS

Drawn By

JH

Checked By

DV

Scale

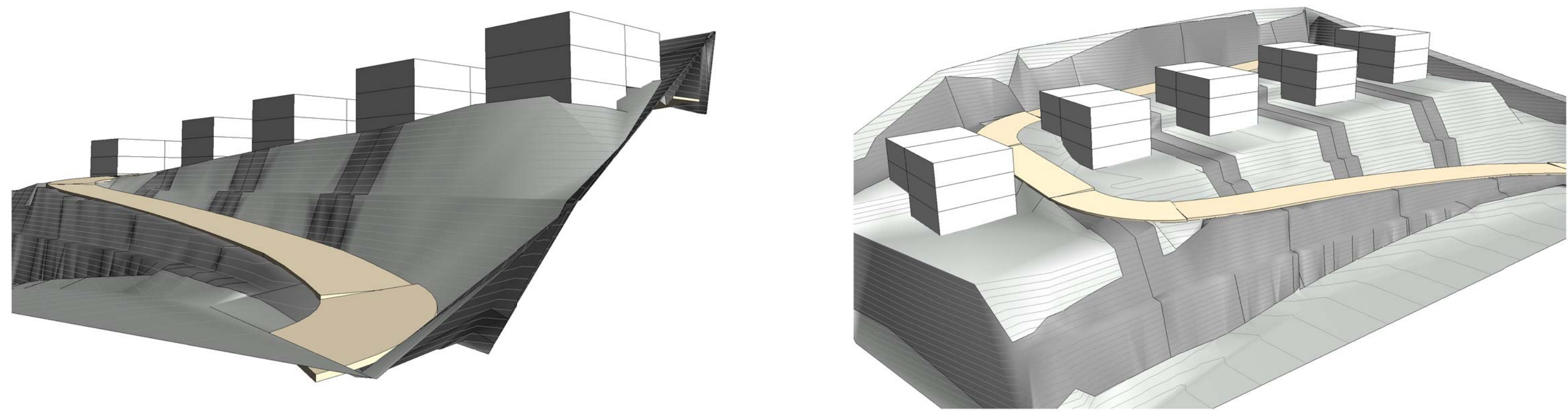
1 : 400

Date

18 MAR 2014

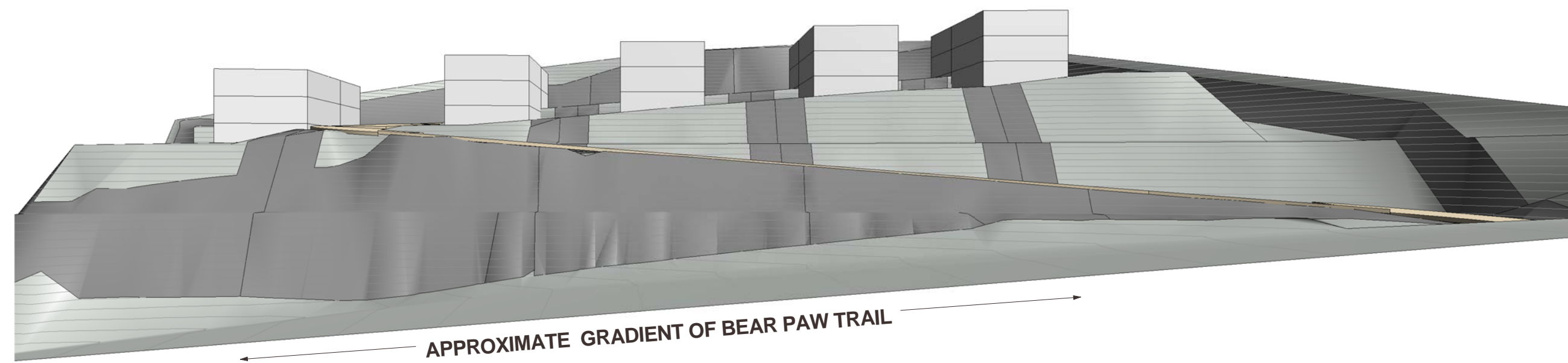
Sheet no.

DP2.0

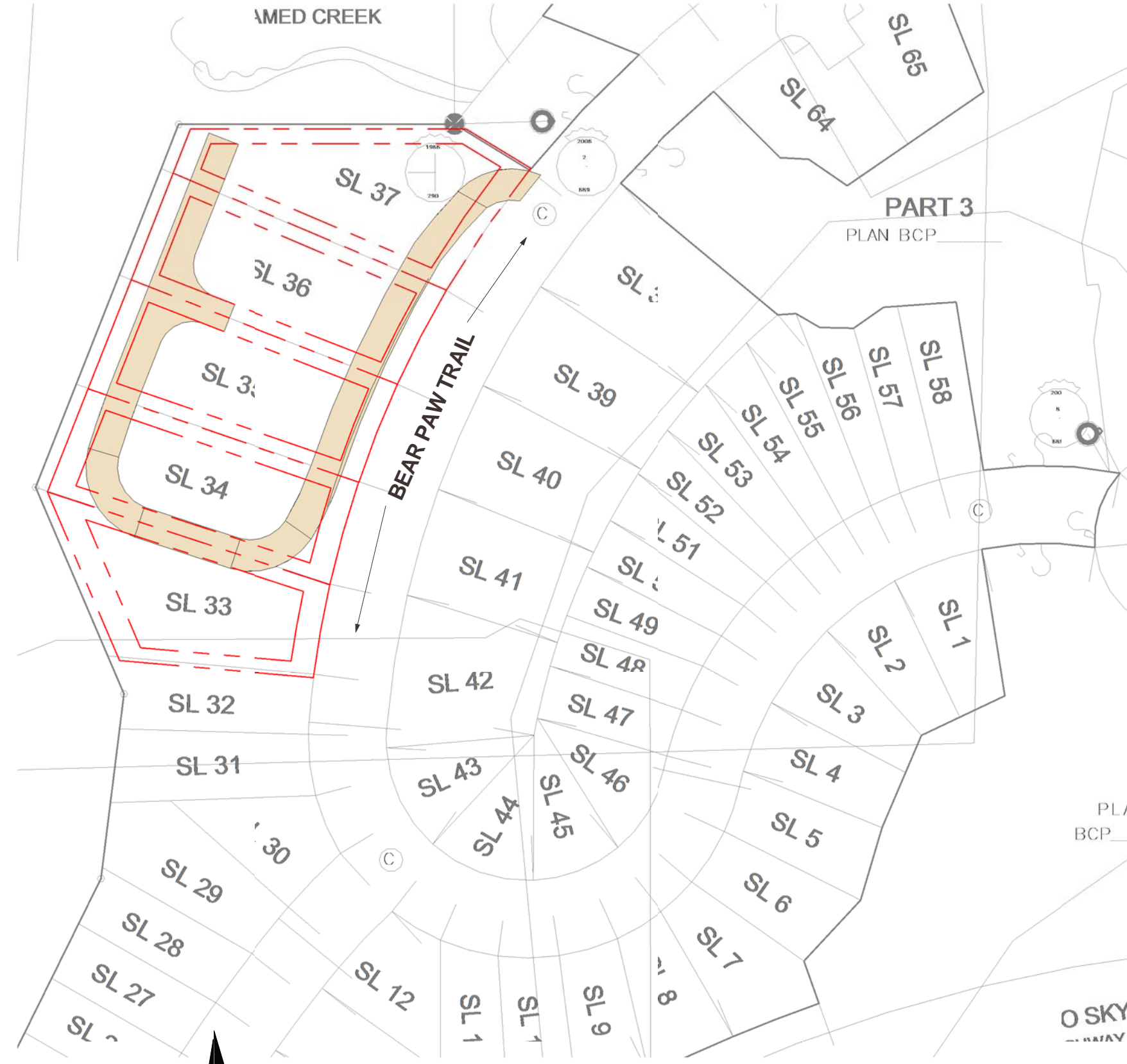


1 3D View 1

2 3D View 2



3 3D View 3



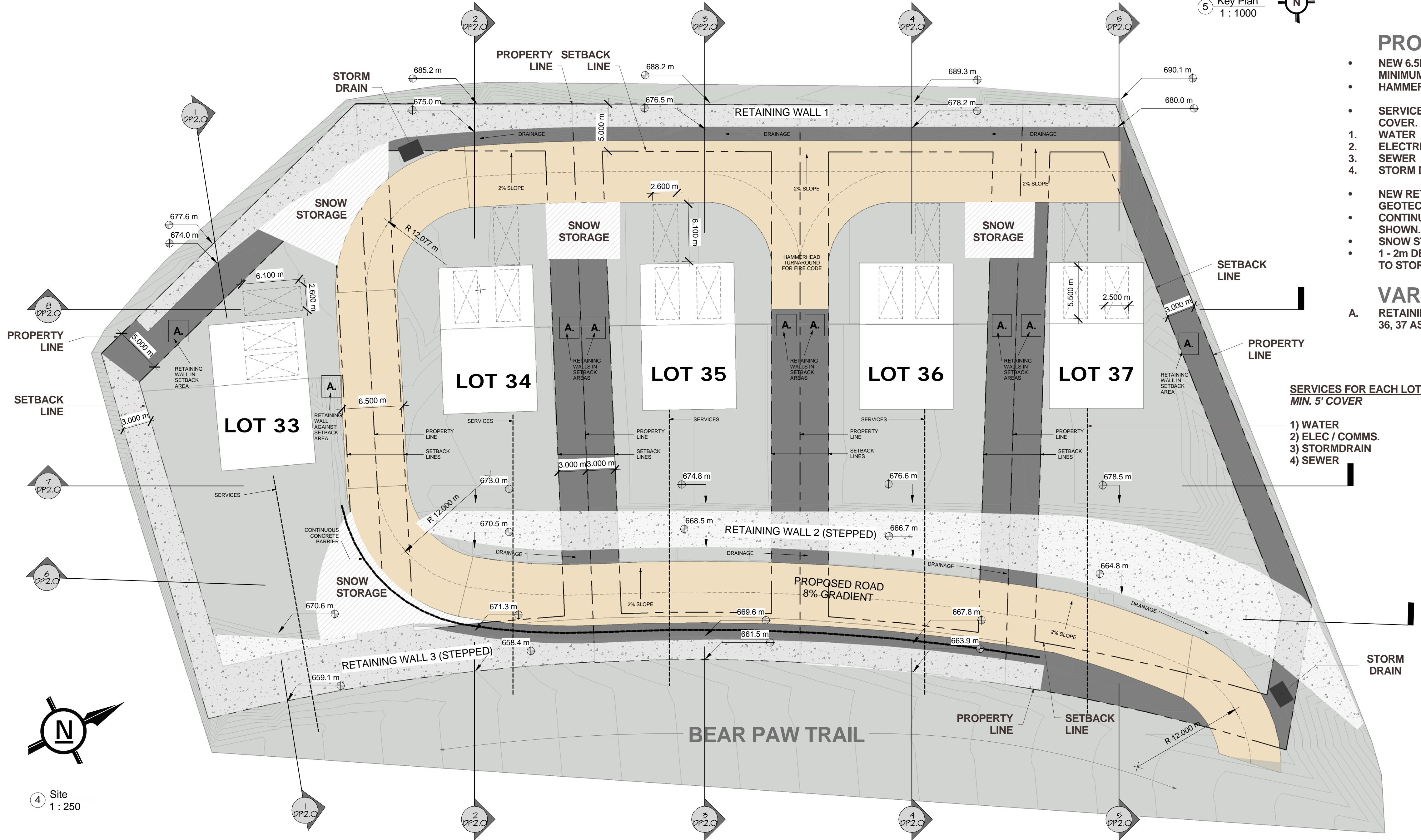
5 Key Plan
1 : 1000

PROPOSED WORKS

- NEW 6.5M WIDE ACCESS ROAD TO LOTS 33-37. MAX GRADIENT 8%. MINIMUM RADIUS 12m TO ROAD CENTRE.
- HAMMERHEAD TURNAROUND AS SHOWN FOR FIRE TRUCK ACCESS.
- SERVICE CONDUIT(S) FROM BEAR PAW TRAIL TO EACH LOT - MIN. 5' COVER. CONTAINING -
 - WATER
 - ELECTRICAL / TELECOMM.
 - SEWER
 - STORM DRAIN
- NEW RETAINING WALLS (ROCK STACK OR MSE AS PER GEOTECHNICAL ENG.)
- CONTINUOUS CONCRETE BARRIER ON EXPOSED ROADSIDES AS SHOWN.
- SNOW STORAGE AREAS AS SHOWN.
- 1 - 2m DEEP DRAINAGE DITCHES AT RETAINING WALLS 1 & 2, LEADING TO STORM DRAINS, AS SHOWN.

VARIANCE REQUIRED

- A. RETAINING WALLS LOCATED WITHIN SETBACK AREAS OF LOTS 34, 35, 36, 37 AS SHOWN



SERVICES FOR EACH LOT MIN. 5' COVER

- 1) WATER
- 2) ELEC / COMMS.
- 3) STORM DRAIN
- 4) SEWER

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
	3	Hi: 669.6 Lo: 661.5
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
	3	Hi: 667.8 Lo: 663.9
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

*Levels taken at section points through each lot



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project
1316
RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client
RAINBOW PROPERTIES LTD

Stage
PLANNING

Sheet Name
PLAN & CONTEXT

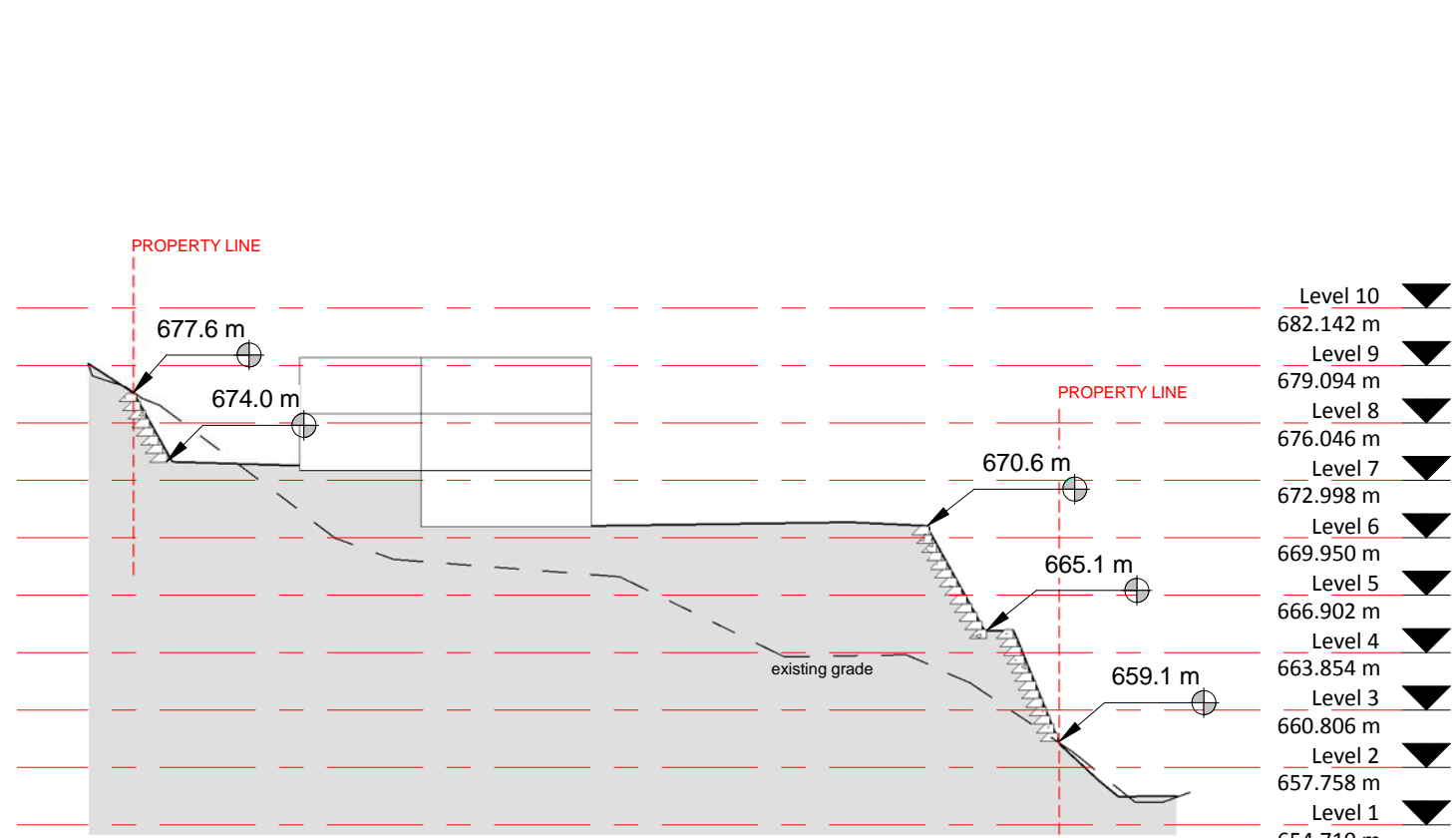
Drawn By
JH

Checked By
DV

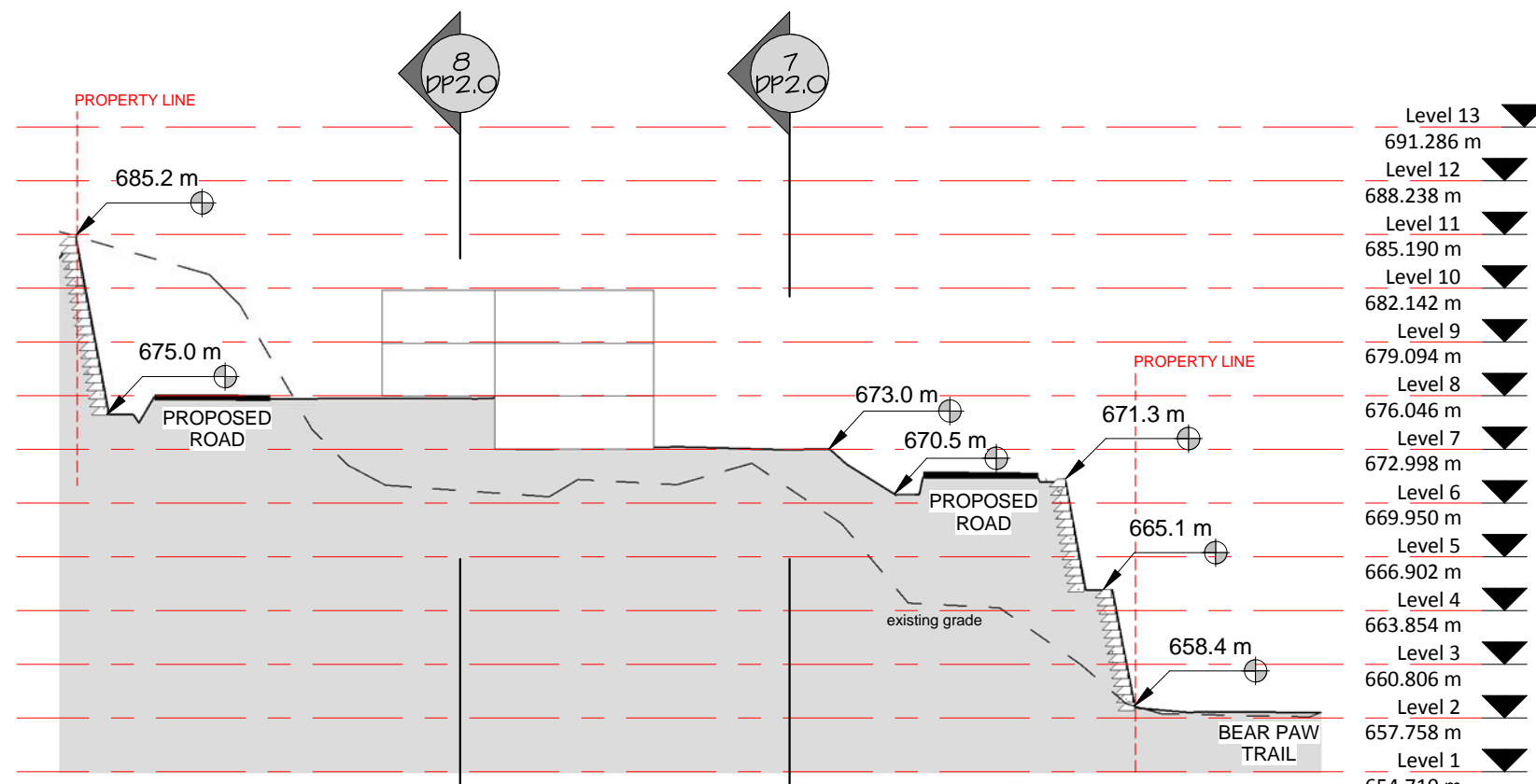
Scale
As indicated

Date
03 FEB 2014

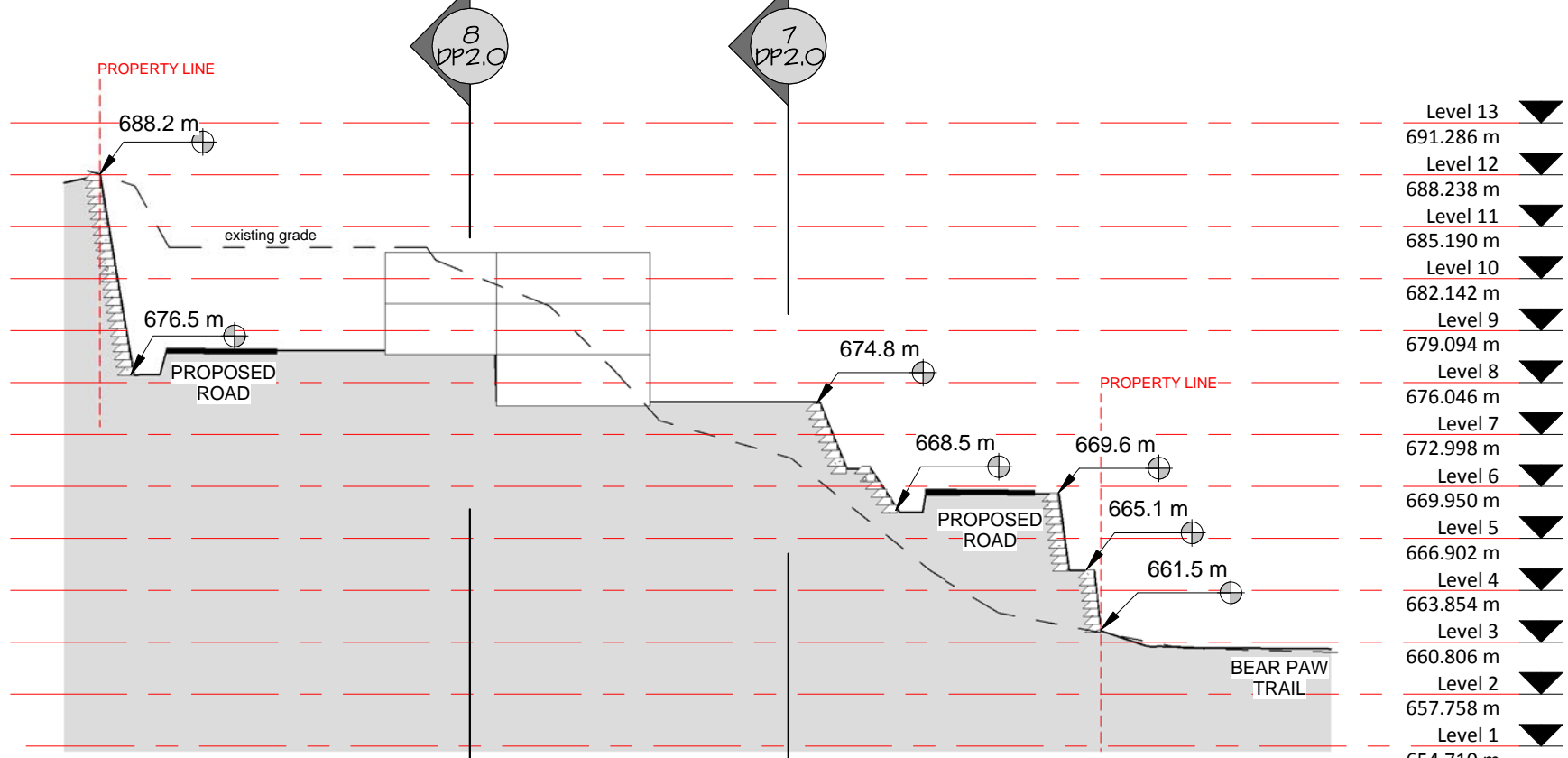
Sheet no.
DP1.0



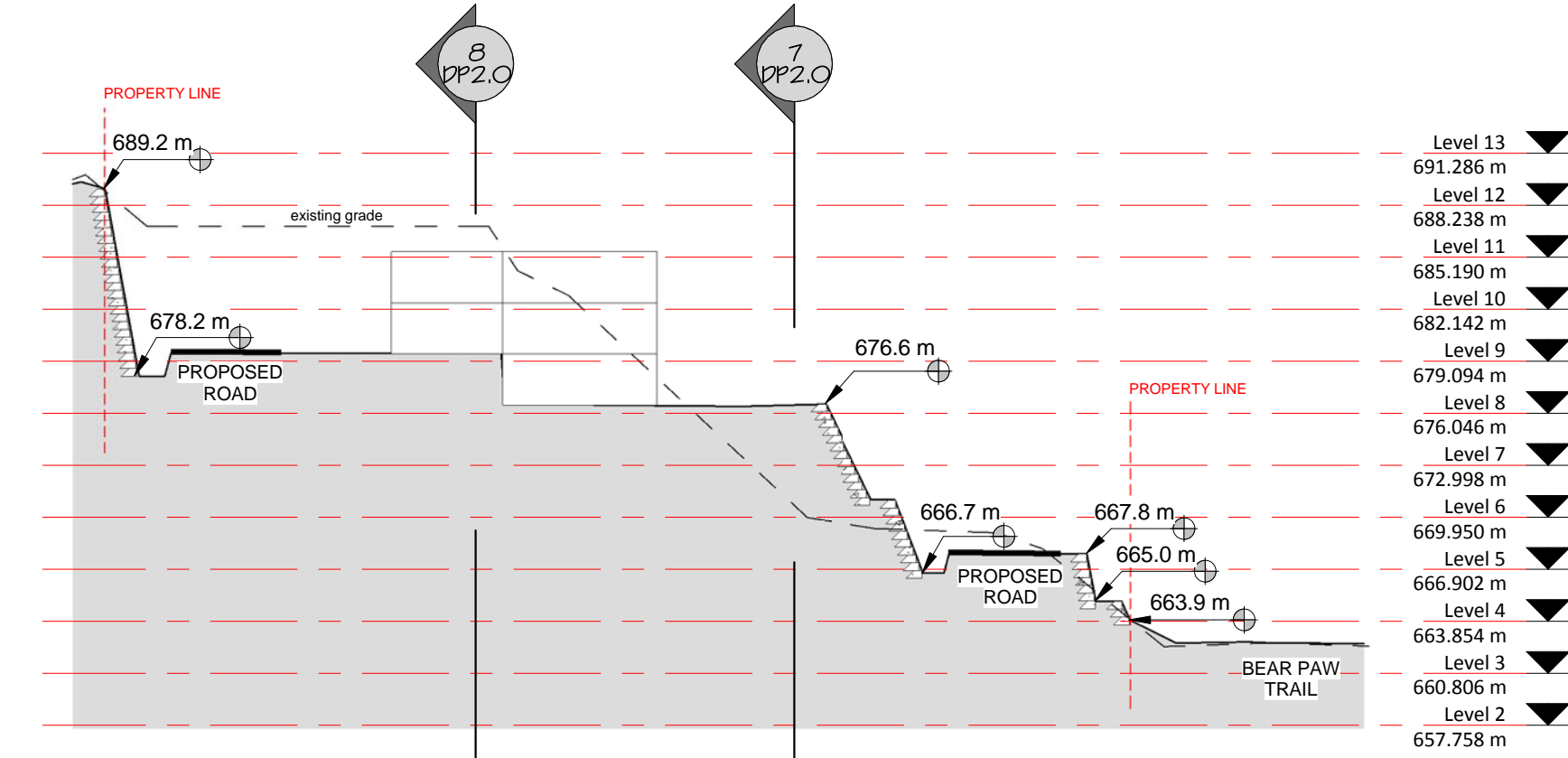
1 SECTION LOT 33
1 : 400



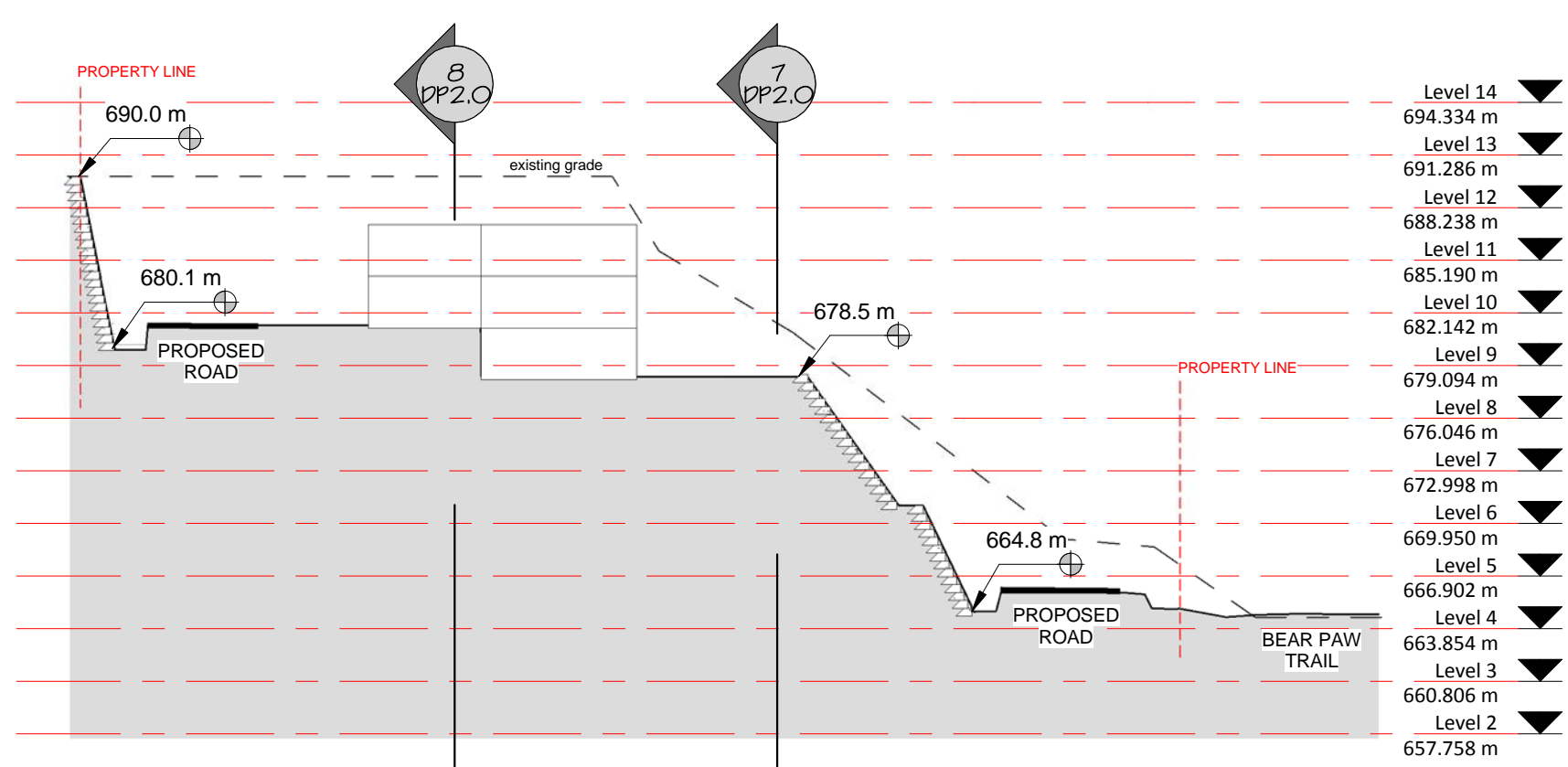
2 SECTION LOT 34
1 : 400



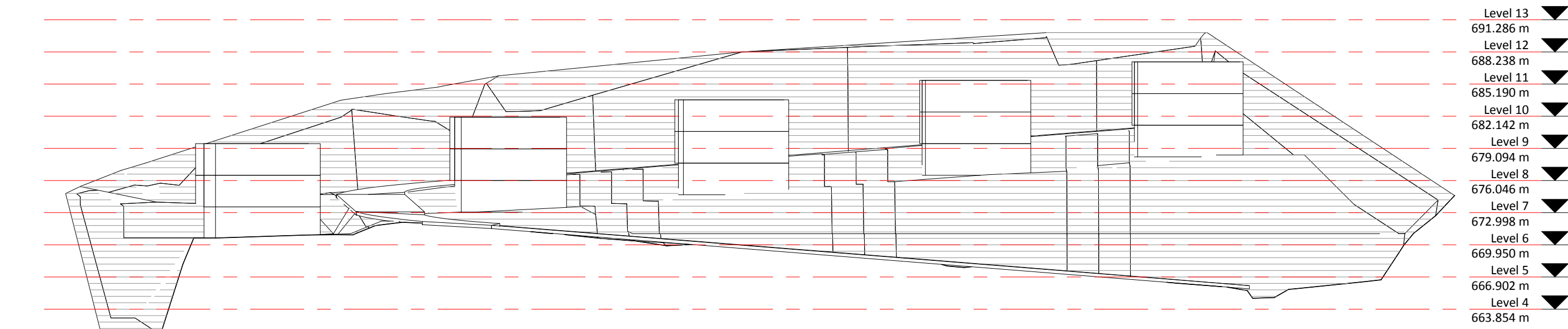
3 SECTION LOT 35
1 : 400



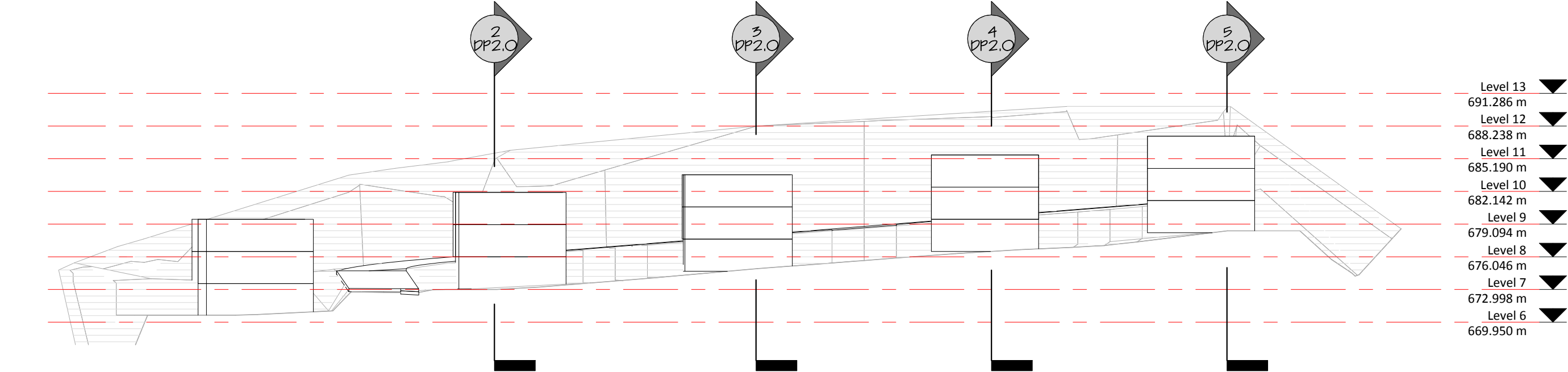
4 SECTION LOT 36
1 : 400



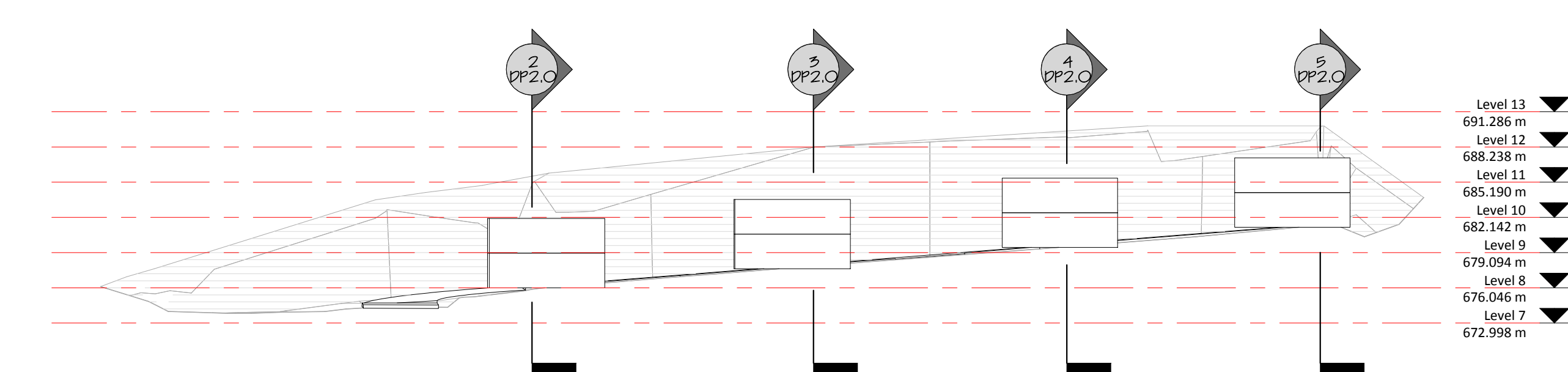
5 SECTION LOT 37
1 : 400



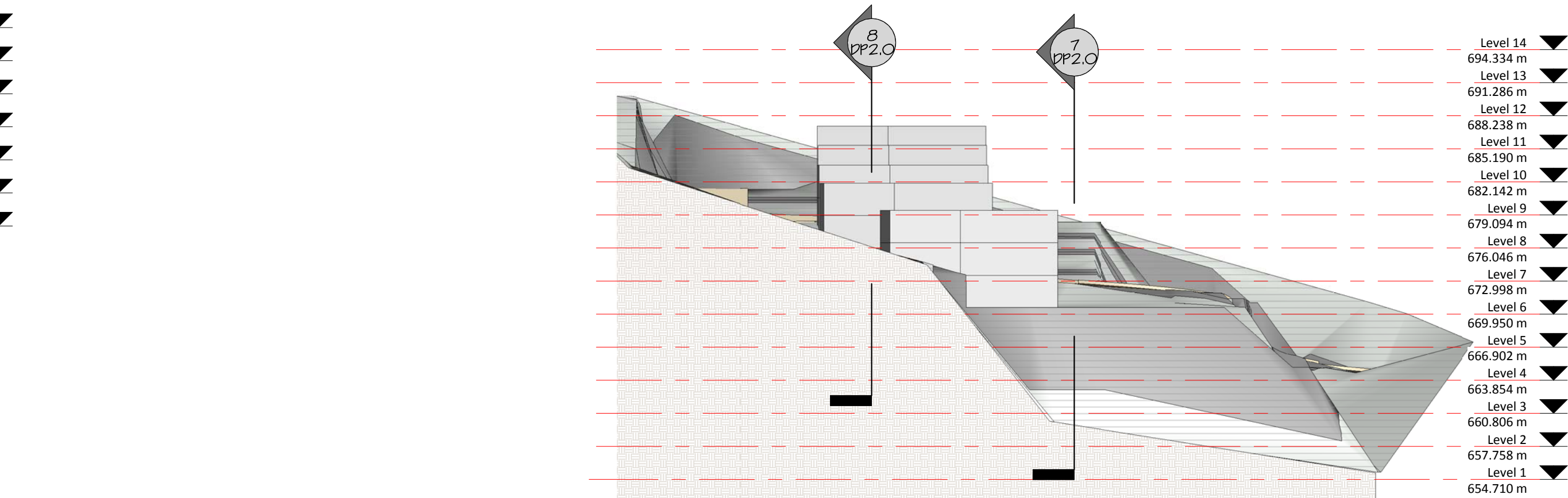
6 Section 4
1 : 400



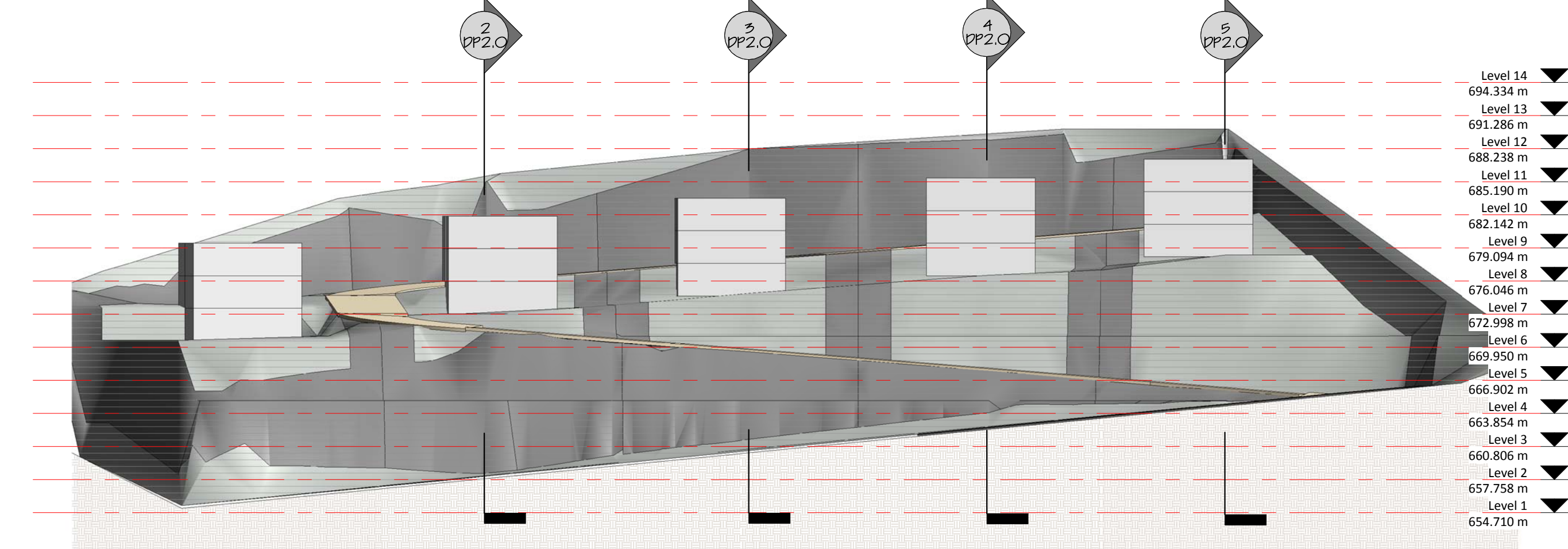
7 Section 5
1 : 400



8 Section 6
1 : 400



9 Elevation EAST
1 : 400



10 Elevation NORTH
1 : 400

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
		Hi: 669.6 Lo: 661.5
	3	
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
		Hi: 667.8 Lo: 663.9
	3	
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

*Levels taken at section points through each lot



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project
1316
RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client
RAINBOW PROPERTIES
LTD

Stage
PLANNING

Sheet Name
SECTIONS & ELEVATIONS

Drawn By
JH

Checked By
DV

Scale
1 : 400

Date
03 FEB 2014

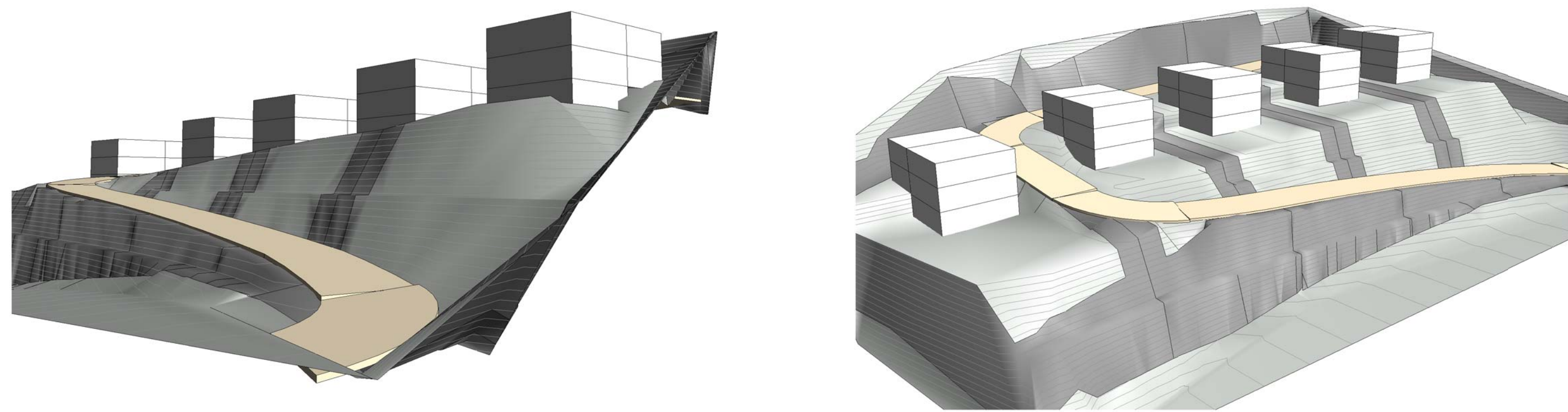
Sheet no.
DP2.0

OPTION A TOPOGRAPHY SCHEDULE			
Name	Fill	Cut	Net cut/fill
NEW TOPO	8048.381 m³	13345.830 m³	-5297.448 m³
	1456.146 m³	314.524 m³	1141.622 m³
	1668.592 m³	904.870 m³	763.722 m³
	1126.675 m³	1249.254 m³	-122.579 m³
	377.456 m³	1997.073 m³	-1619.617 m³
	10.910 m³	3103.967 m³	-3093.057 m³
Grand total: 6	12688.162 m³	20915.519 m³	-8227.357 m³



OPTION B TOPOGRAPHY SCHEDULE			
Name	Fill	Cut	Net cut/fill
NEW TOPO	488 m³	744 m³	-256 m³
	0 m³	1987 m³	-1987 m³
	0 m³	935 m³	-935 m³
	0 m³	650 m³	-650 m³
	2 m³	1942 m³	-1941 m³
	0 m³	1299 m³	-1299 m³
	0 m³	652 m³	-652 m³
	1 m³	1620 m³	-1619 m³
	0 m³	1143 m³	-1143 m³
	0 m³	678 m³	-678 m³
	1 m³	2000 m³	-1999 m³
	0 m³	889 m³	-889 m³
	0 m³	816 m³	-816 m³
	0 m³	3437 m³	-3437 m³
	0 m³	2000 m³	-2000 m³
	0 m³	1430 m³	-1430 m³
Grand total: 16	491 m³	22222 m³	-21730 m³



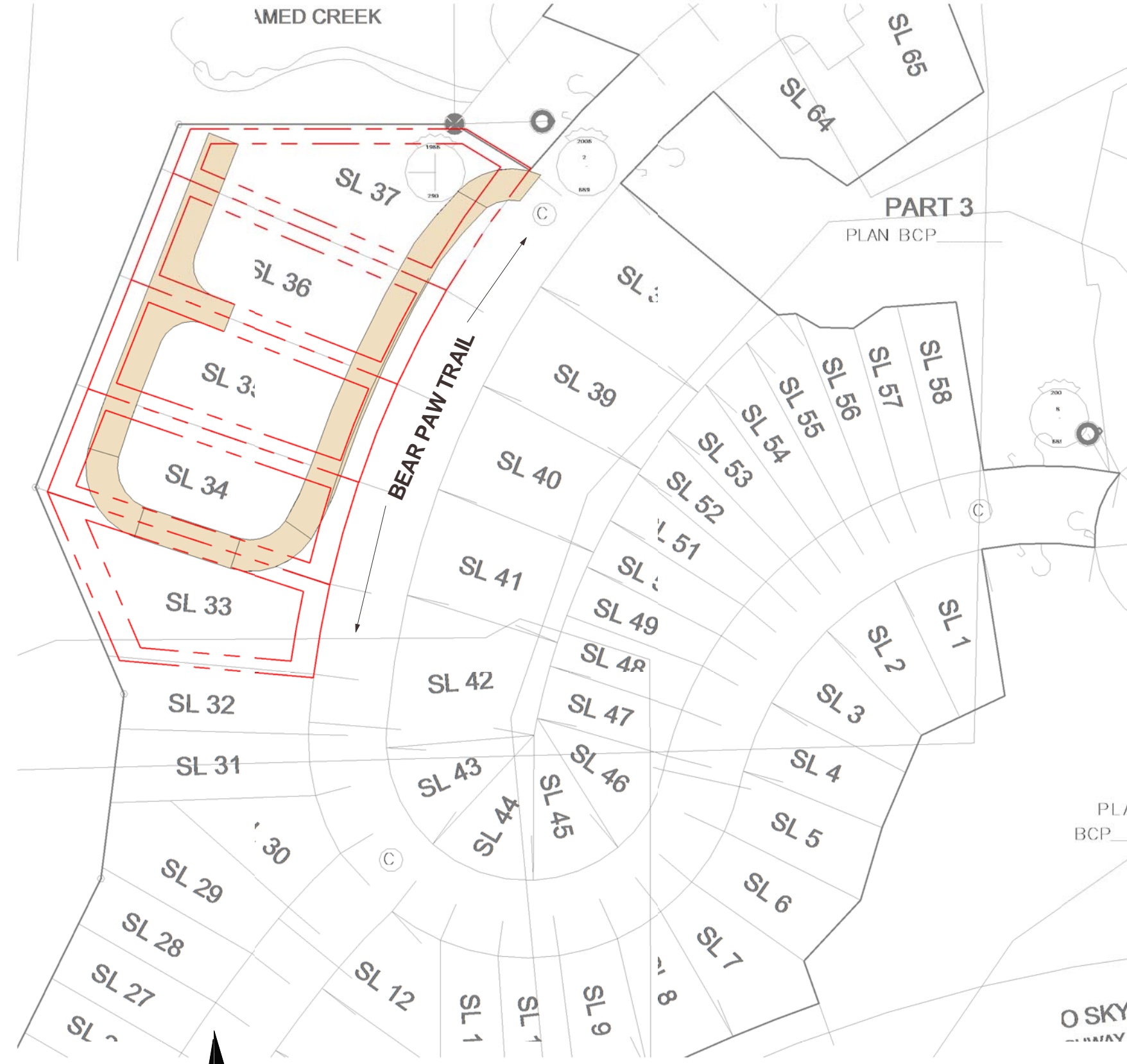


1 3D View 1

2 3D View 2



3 3D View 3



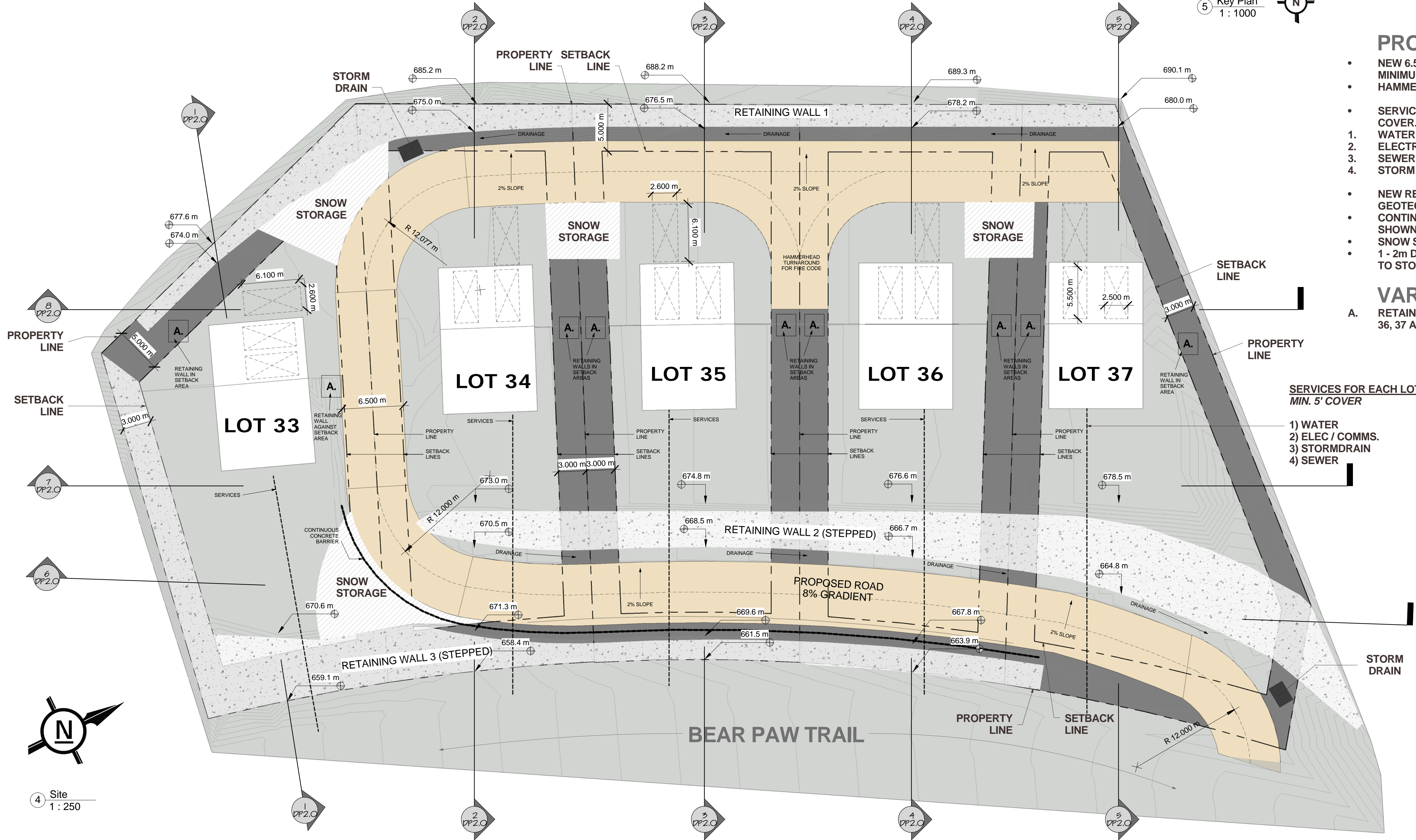
5 Key Plan
1:1000

PROPOSED WORKS

- NEW 6.5M WIDE ACCESS ROAD TO LOTS 33-37. MAX GRADIENT 8%. MINIMUM RADIUS 12m TO ROAD CENTRE.
- HAMMERHEAD TURNAROUND AS SHOWN FOR FIRE TRUCK ACCESS.
- SERVICE CONDUIT(S) FROM BEAR PAW TRAIL TO EACH LOT - MIN. 5' COVER. CONTAINING -
 - WATER
 - ELECTRICAL / TELECOMM.
 - SEWER
 - STORM DRAIN
- NEW RETAINING WALLS (ROCK STACK OR MSE AS PER GEOTECHNICAL ENG.)
- CONTINUOUS CONCRETE BARRIER ON EXPOSED ROADSIDES AS SHOWN.
- SNOW STORAGE AREAS AS SHOWN.
- 1-2m DEEP DRAINAGE DITCHES AT RETAINING WALLS 1 & 2, LEADING TO STORM DRAINS, AS SHOWN.

VARIANCE REQUIRED

- A. RETAINING WALLS LOCATED WITHIN SETBACK AREAS OF LOTS 34, 35, 36, 37 AS SHOWN



SERVICES FOR EACH LOT MIN. 5' COVER

- 1) WATER
- 2) ELEC / COMMS.
- 3) STORM DRAIN
- 4) SEWER

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
	3	Hi: 669.6 Lo: 661.5
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
	3	Hi: 667.8 Lo: 663.9
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

*Levels taken at section points through each lot



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project
1316
RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client
RAINBOW PROPERTIES LTD

Stage
PLANNING

Sheet Name
PLAN & CONTEXT

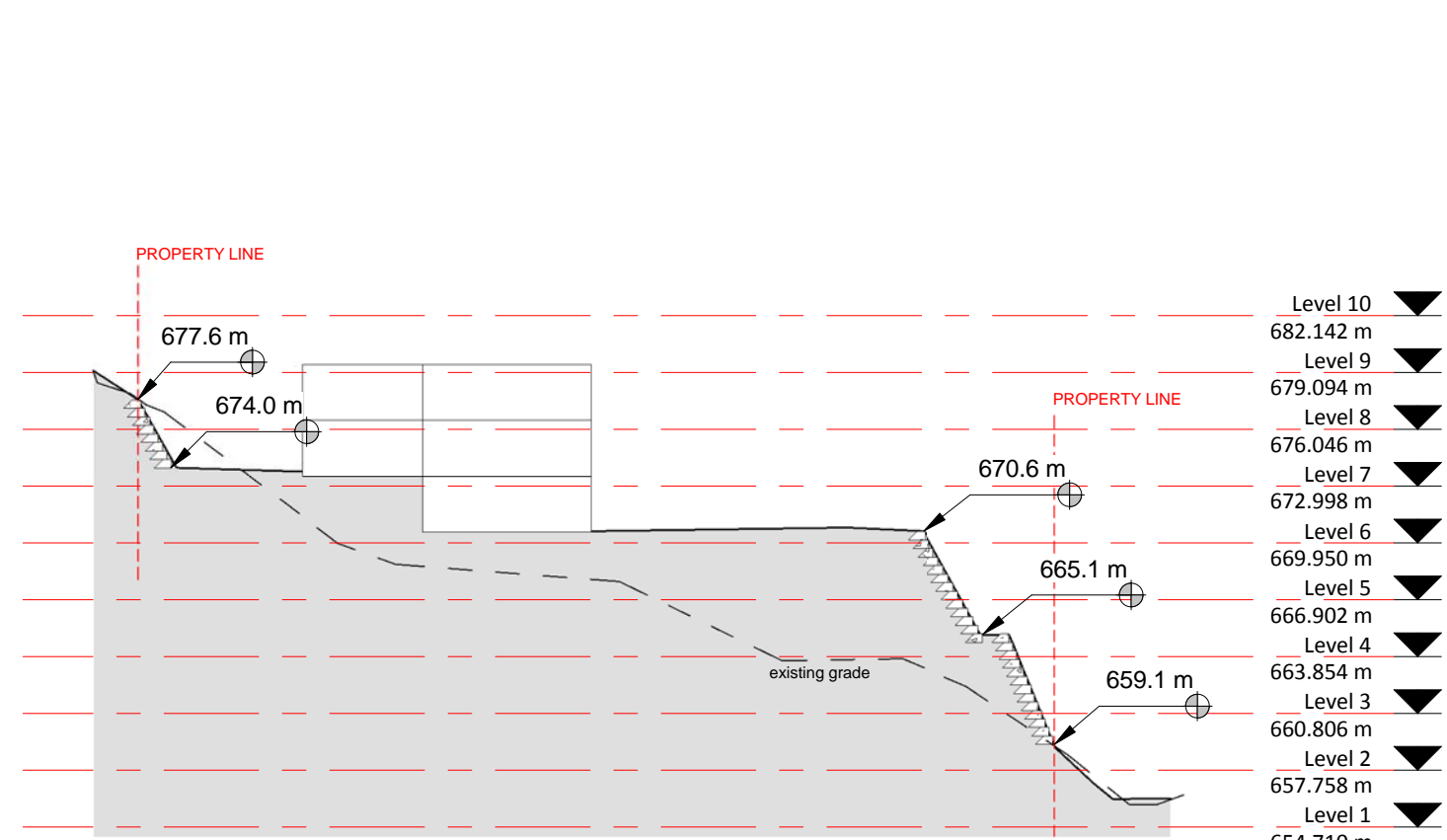
Drawn By
JH

Checked By
DV

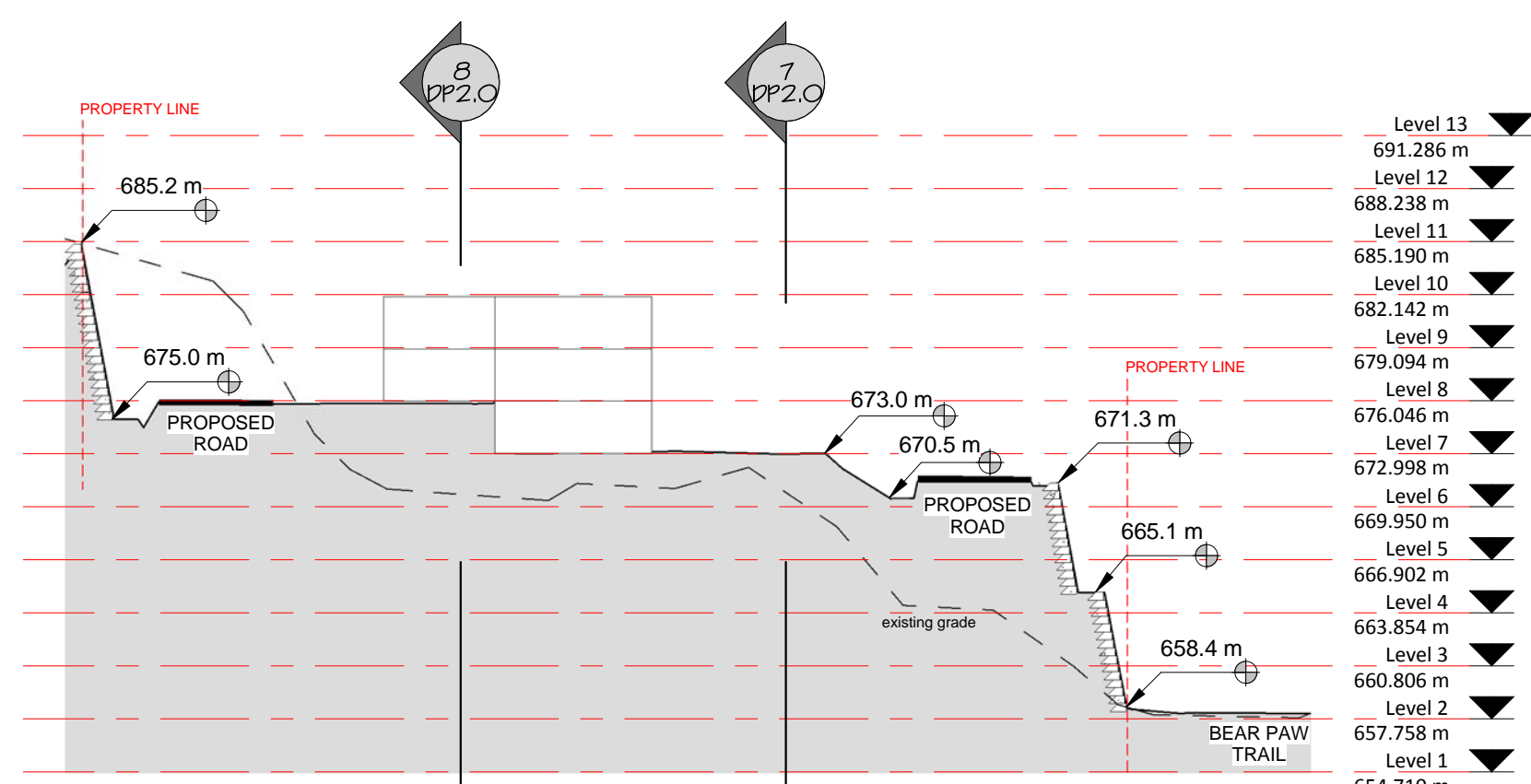
Scale
As indicated

Date
03 FEB 2014

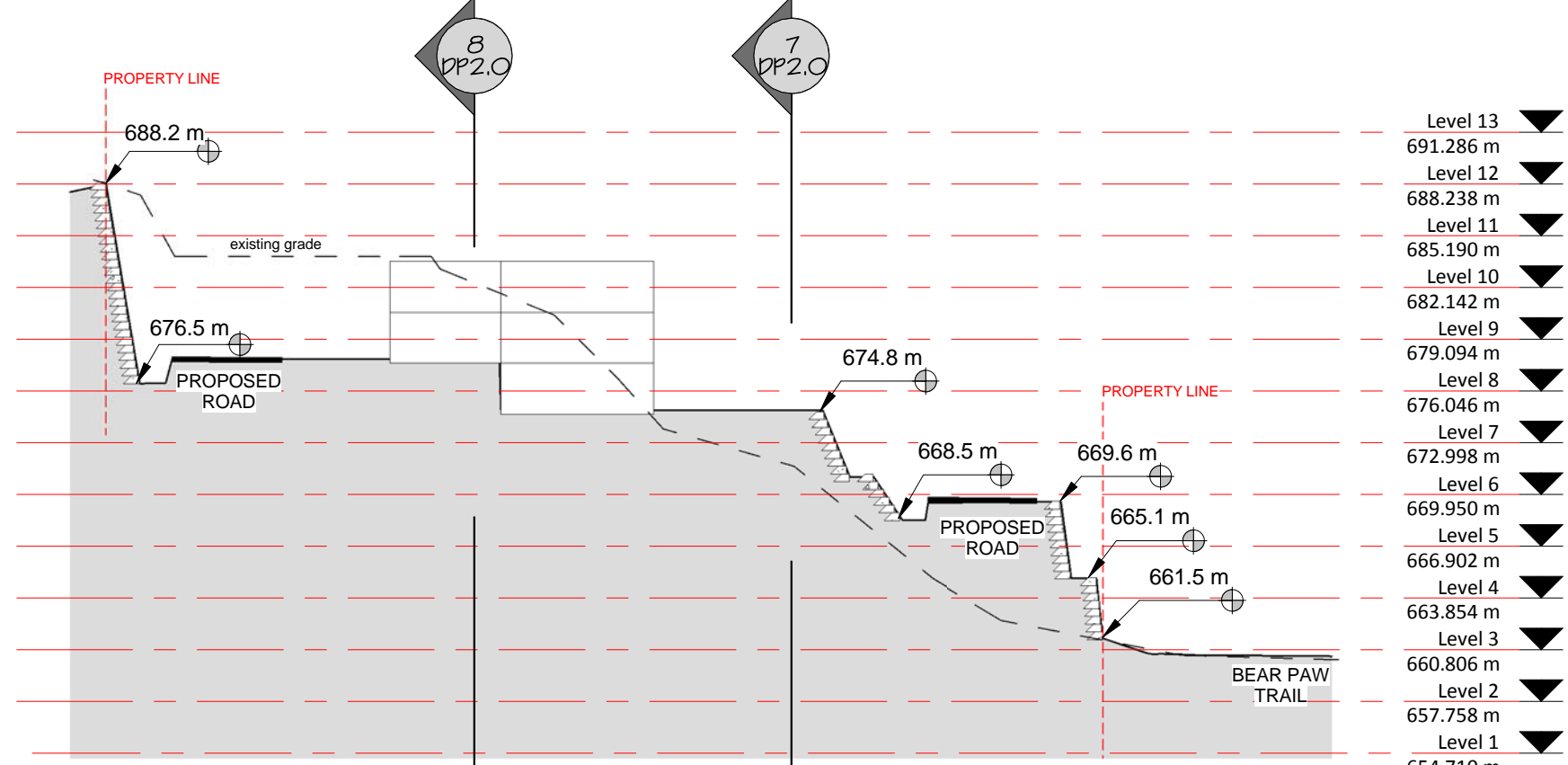
Sheet no.
DP1.0



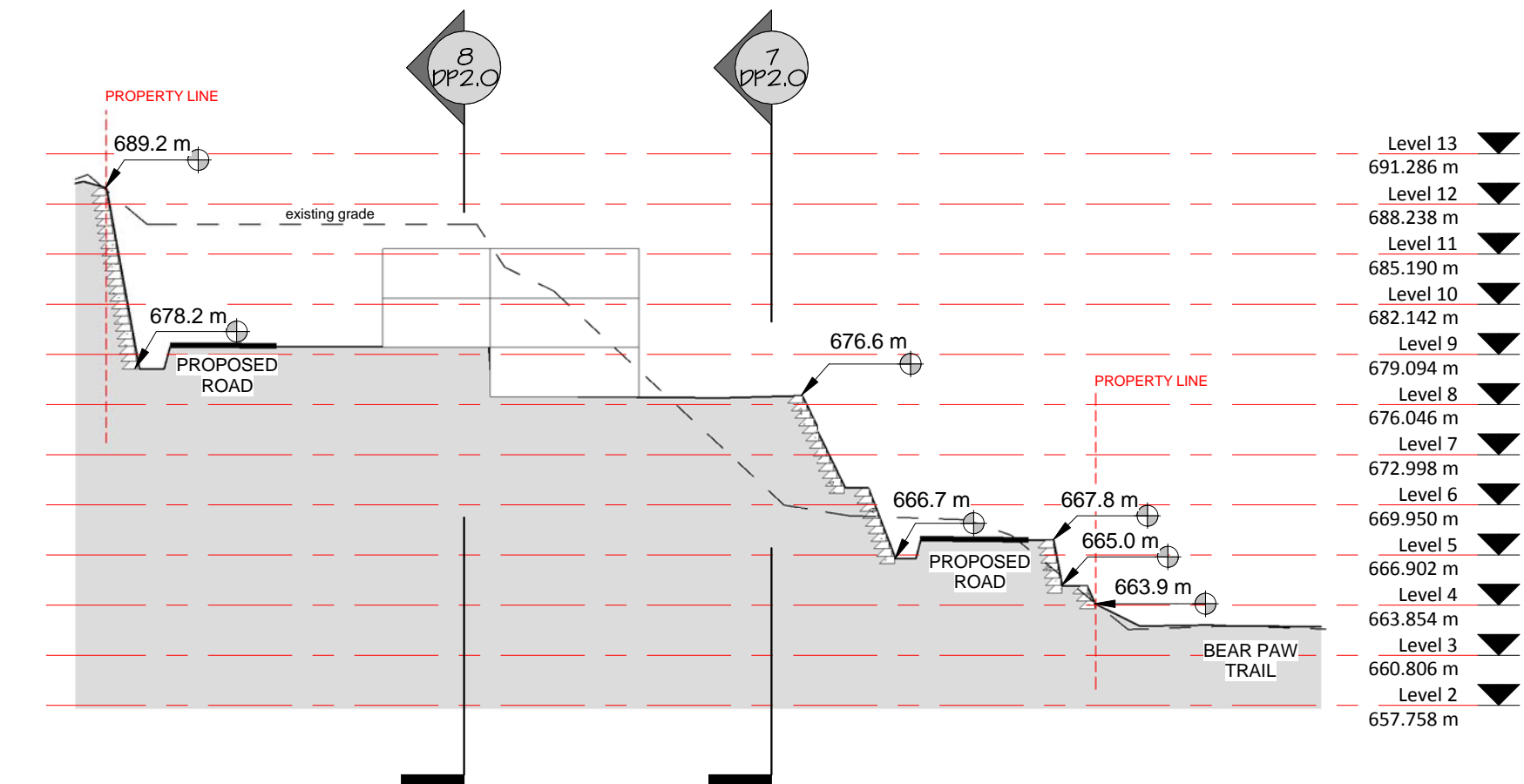
1 SECTION LOT 33
1 : 400



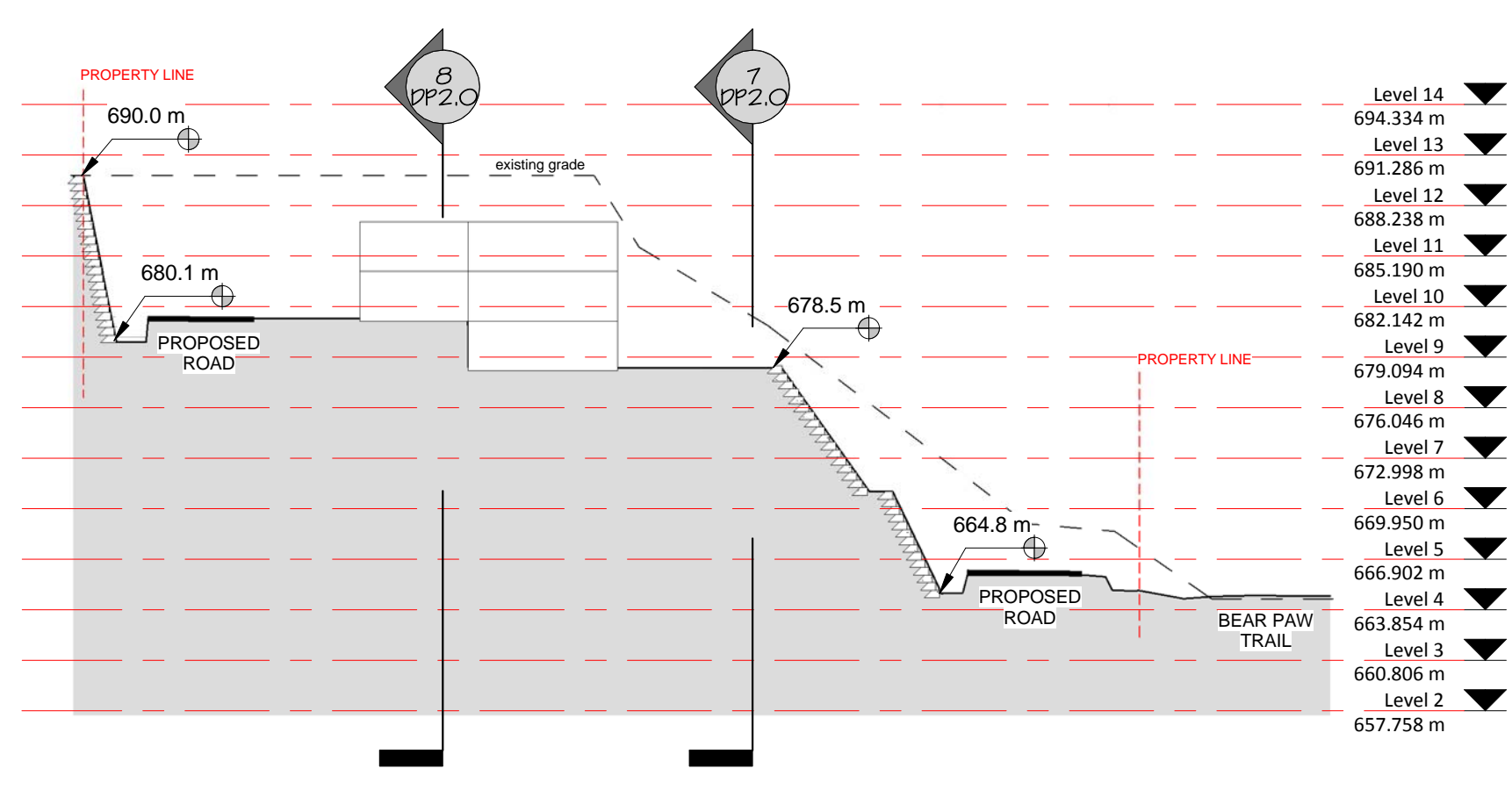
2 SECTION LOT 34
1 : 400



3 SECTION LOT 35
1 : 400



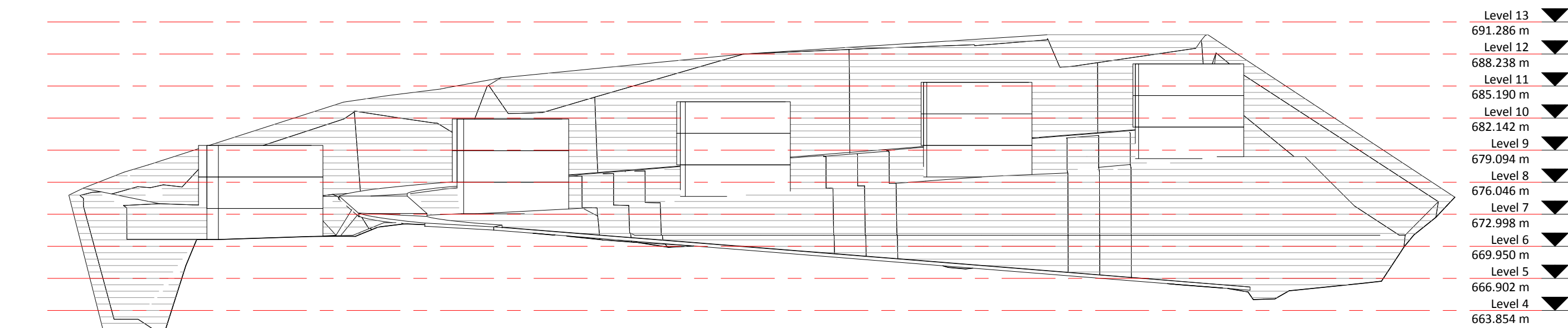
4 SECTION LOT 36
1 : 400



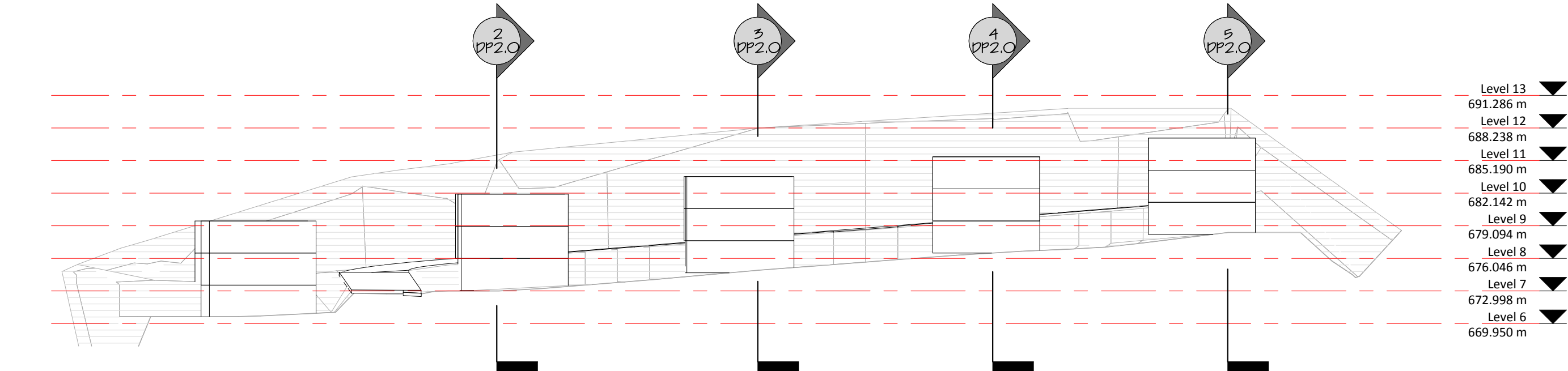
5 SECTION LOT 37
1 : 400

Lot no.	Retaining Wall	Levels* (m)
33	1	Hi: 677.6 Lo: 674.0
	3	Hi: 670.6 Lo: 659.1
34	1	Hi: 685.2 Lo: 675.0
	2	Hi: 673.0 Lo: 670.5
	3	Hi: 671.3 Lo: 658.4
35	1	Hi: 688.2 Lo: 676.5
	2	Hi: 674.8 Lo: 668.5
	3	Hi: 669.6 Lo: 661.5
36	1	Hi: 689.2 Lo: 678.2
	2	Hi: 676.6 Lo: 666.7
	3	Hi: 667.8 Lo: 663.9
37	1	Hi: 690.0 Lo: 680.1
	2	Hi: 678.5 Lo: 664.8

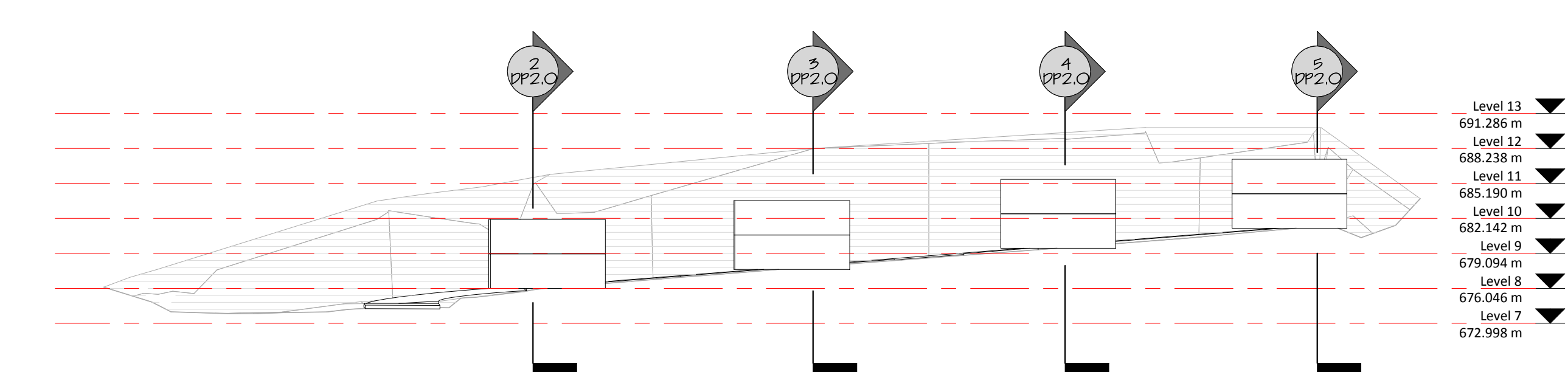
*Levels taken at section points through each lot



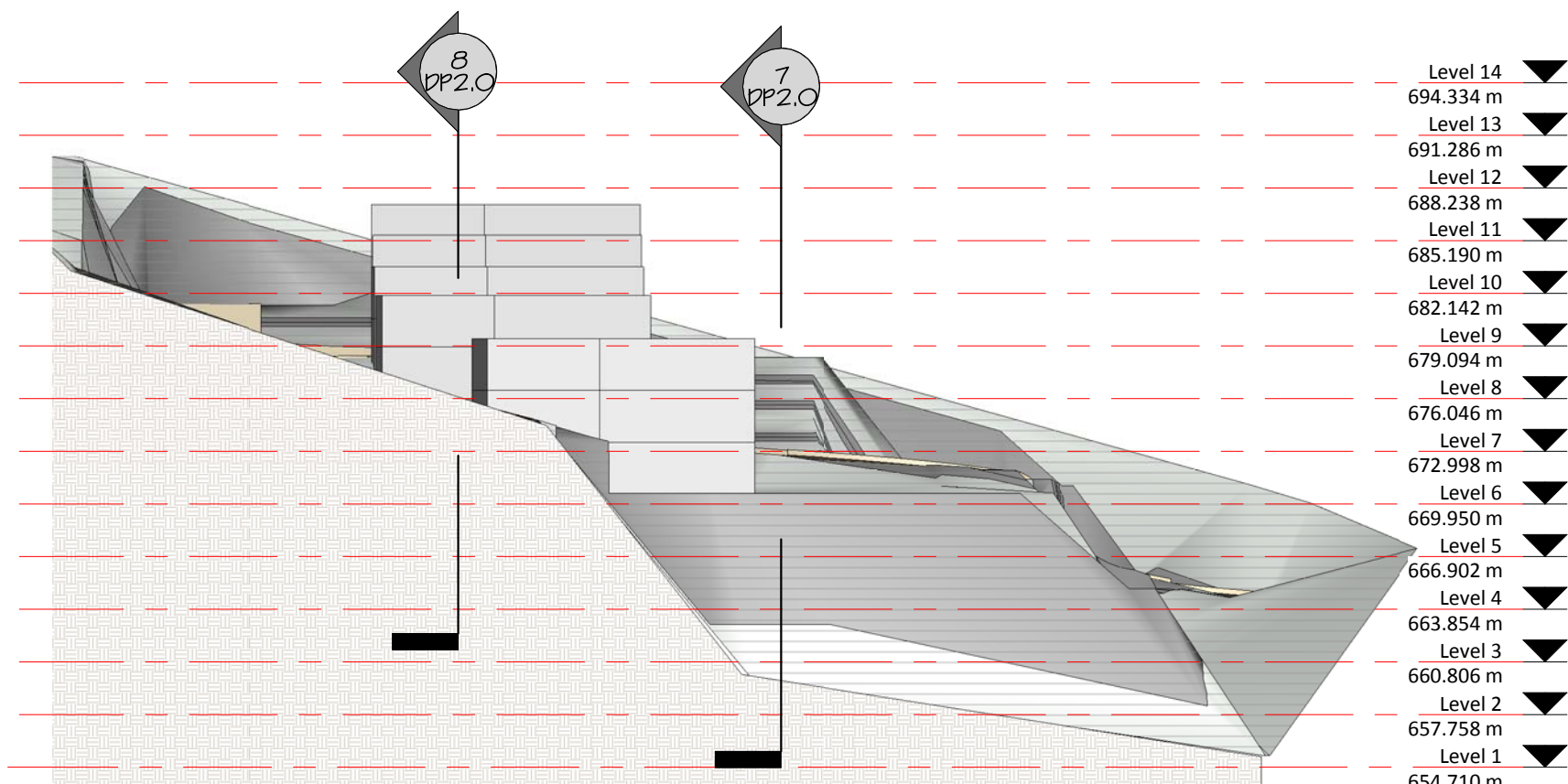
6 Section 4
1 : 400



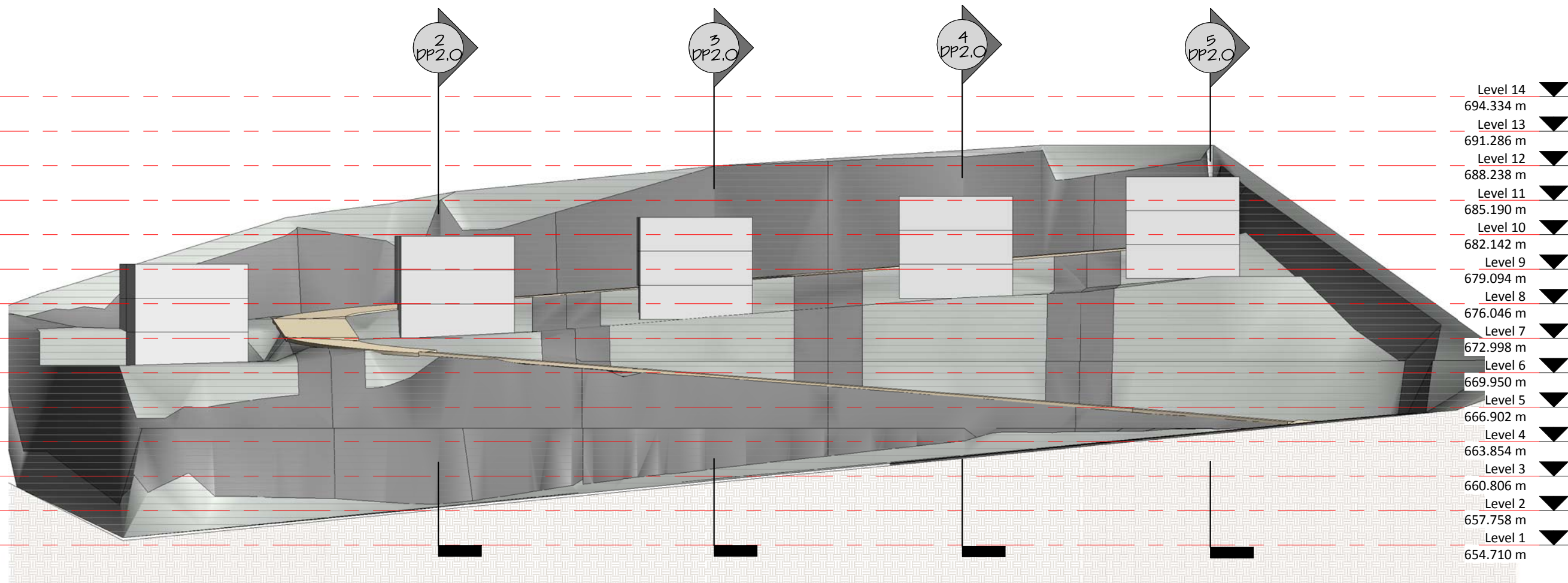
7 Section 5
1 : 400



8 Section 6
1 : 400



9 Elevation EAST
1 : 400



10 Elevation NORTH
1 : 400



PO Box 794
Whistler, BC, V0N 1B0
www.dvad.ca
info@dvad.org
tel: 604.962.1177

Project
1316
RAINBOW LOTS 33-37

8461/65/69/73/77 BEAR PAW TRAIL

Client
RAINBOW PROPERTIES
LTD

Stage
PLANNING

Sheet Name
SECTIONS & ELEVATIONS

Drawn By
JH

Checked By
DV

Scale
1 : 400

Date
03 FEB 2014

Sheet no.
DP2.0

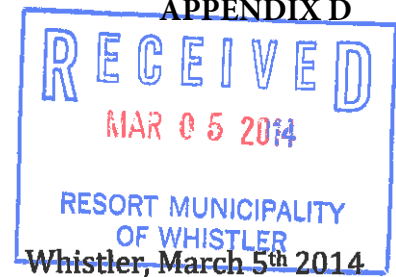
OPTION A TOPOGRAPHY SCHEDULE			
Name	Fill	Cut	Net cut/fill
NEW TOPO	8048.381 m³	13345.830 m³	-5297.448 m³
	1456.146 m³	314.524 m³	1141.622 m³
	1668.592 m³	904.870 m³	763.722 m³
	1126.675 m³	1249.254 m³	-122.579 m³
	377.456 m³	1997.073 m³	-1619.617 m³
	10.910 m³	3103.967 m³	-3093.057 m³
Grand total: 6	12688.162 m³	20915.519 m³	-8227.357 m³



OPTION B TOPOGRAPHY SCHEDULE			
Name	Fill	Cut	Net cut/fill
NEW TOPO	488 m³	744 m³	-256 m³
	0 m³	1987 m³	-1987 m³
	0 m³	935 m³	-935 m³
	0 m³	650 m³	-650 m³
	2 m³	1942 m³	-1941 m³
	0 m³	1299 m³	-1299 m³
	0 m³	652 m³	-652 m³
	1 m³	1620 m³	-1619 m³
	0 m³	1143 m³	-1143 m³
	0 m³	678 m³	-678 m³
	1 m³	2000 m³	-1999 m³
	0 m³	889 m³	-889 m³
	0 m³	816 m³	-816 m³
	0 m³	3437 m³	-3437 m³
	0 m³	2000 m³	-2000 m³
	0 m³	1430 m³	-1430 m³
Grand total: 16	491 m³	22222 m³	-21730 m³



Rainbow Joint Venture
 8501 Rope Tow Way, Whistler BC, V0N 1B9
 Ph: 604-9026678
 Email: luisduardogarcia@amsprivatewealth.com



From: Luis Garcia / Rainbow Joint Venture
 Derek Venter / DVAD
To: Roman Licko / Planning Department / Resort Municipality of Whistler

Re: DP application for Rainbow, Bear Paw Trail lots 33, 34, 35, 36 and 37.

In the process of designing suitable lots for development the following three options were considered:

1. Direct street access for individual lots.
2. Single shared access road.
3. Switchback access road. **(Final proposal presented for Development permit.)**

During this review the following was critical in the evaluation of the three options;

1. Minimize impact of earthworks on the subject land.
2. Require the least amount of dirt to be removed from the site, allowing a balanced approach between cut and fill while still meeting the design criteria noted above. The final proposal is based on mostly relocating material rather than cutting and hauling material away from the neighborhood.
3. Reduce impact of traffic through the neighborhood.
4. Create minimal environmental impact.
5. Avoid interference with light or views from existing lots.
6. Create a group of lots that fits into the neighborhood, and add to the neighborhood.

Based on those considerations, a decision was made to apply for DP in order to get approval for the design presented on this application. From the Development and Building Permit point of view, the following considerations were made:

1. The proposed design have stepped retaining walls as found everywhere in rainbow.
2. The homes set back from the street allows for stepped approach in regards to massing. The retaining wall is softened by including steps on both sides of the road.
3. No building variances is expected. The development permits for this proposal will address all retaining walls in the front and back of the lots as well as between the buildings.
4. The home designs are set for top entry and can be designed without the requirements for height variances outside of the existing zoning. –
 S.L. 33 Detached dwelling 0.35 459 5m/3m/25m 7.6m

S.L. 34 Detached dwelling 0.35 490 5m/3m/25m 7.6m
S.L. 35 Detached dwelling 0.35 494 5m/3m/25m 7.6m
S.L. 36 Detached dwelling 0.35 497 5m/3m/25m 7.6m
S.L. 37 Detached dwelling 0.35 543 5m/3m/25m 7.6m

As part of a Strata and concerned about how this common driveway will impact the actual strata, the proposed development will create a shared road for the five lots that will be managed by all five properties independent of the existing strata. Snow storage has been identified on the site limiting impact of additional snow management on the strata.

If you have any questions, please do not hesitate to contact us.

Kind regards,


Luis Garcia
Rainbow Joint Venture VP
604-9026678

Derek Venter
DVAD Inc
604-9023792



SierraScape / Sierra Slope MSE wall systems
- Reinforced earth walls with planted
medium









REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-031

FROM: Resort Experience

FILE: RZ 1076

SUBJECT: RZ 1076 - 4341 VILLAGE LANE – CLOCKTOWER HOTEL STORAGE
REZONING

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 (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.

REFERENCES

Location: 4341 Village Lane

Legal Description: Strata Lots 1 - 16 District Lots 1902 and 3020 Strata Plan VR. 883, Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1.

Owners: Vacation Internationale, Inc. INC.NO. 37695A and Madison Development Corporation, INC.NO. 0143240

Current Zoning: CC1 (Commercial Core One)

Date of Application: November 8, 2013

Appendices: “A” Location Map

PURPOSE OF REPORT

The owners of the Clocktower Hotel have applied for a rezoning to amend the maximum permitted Gross Floor Area (GFA) for the property to permit an additional storage area for the hotel by converting an excluded floor area located within the building’s attic. The total floor area to be converted to gross floor area is approximately 51.6 square metres or 556 square feet.

DISCUSSION

Background

The Clocktower Hotel is an existing development located at 4341 Village Lane in Whistler Village (Appendix A) with frontage on Village Lane, Brandywine Alley, and Village Stroll. The applicant proposes to convert an unused mechanical floor area in the attic for additional storage area for the hotel's use.

Rezoning Proposal

The 51.6 square metres of existing mechanical floor area is currently excluded from the calculation of gross floor area. However, if converted to be used as storage space it is treated as gross floor area. Therefore, the total gross floor area for the existing building would increase from the current estimated 1,127.4 square metres to 1,179 square metres. The building footprint and roofline relationship to the street and adjacent buildings remains unchanged.

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

The zoning amendment bylaw proposes to adjust the density provisions of the CC1 zone regarding permitted gross floor area for the Clocktower Hotel parcel VR883 to accommodate the proposed 51.6 square metres of storage area. The total gross floor area for the parcel would be established at 1,179 square metres.

ADP Review

The proposal was not referred to the Advisory Design Panel for review as there are no changes to the form and character of the buildings' exterior.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses.	The proposed storage area is located within the attic area within the existing building envelope. Space will be utilized for hotel storage purposes
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	The storage area is located on-site within the existing building, providing a more cost effective solution that supports this existing business.
Energy	The energy system is continuously moving towards a state whereby a buildup of emissions and waste into air, land and water is eliminated	The on-site storage potentially reduces transportation and consumption of fossil fuels associated with additional deliveries.
Finance	Financial principles, practices and tools employed by both the public and private sectors encourage behavior that moves Whistler toward success and sustainability.	The proposed storage enhances the financial success and sustainability of this business and thus Whistler
Visitor Experience	The resort is comfortable, functional, safe, clean and well-maintained.	The on-site additional storage space supports a resort that is comfortable, functional and well-maintained.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
	Proposal not moving away from description of success	

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw 303

The proposed storage use for hotel operations is consistent with the CC1 zone as a permitted use. No additional parking stalls are required for the proposed storage space under Zoning and Parking Bylaw 303.

Whistler Village Density Policy

The Municipality's Whistler Village Density Policy G-24 contemplates requests from property owners for limited additional density in the CC1 zone. The policy applies to all rezoning applications for parcels within the CC1 zone that propose to amend the permitted density of the parcel as established for that parcel in Zoning Bylaw Section 8 subsections 1.2.1, 1.2.3 and 1.2.4, which permits an additional 20 square metres to be added to the gross floor area for each site. Given, the request is for 51.6 square metres of gross floor area a rezoning application was required.

Per the policy, a proposal must not violate the Whistler Village Design Guidelines, View Protection Guidelines or Solar Access Protection Guidelines. The proposal must also achieve targeted community benefits.

The proposal meets the requirements of the Whistler Village Density Policy; the added density is within the existing building envelope and relates to operational improvements for storage facilities for the hotel which is a recognized benefit.

Official Community Plan

Whistler's OCP outlines specific items for review with respect to rezoning applications. A summary evaluation is provided in the table below.

OCP Criteria	Comments
3.1 Growth Management – Guide Whistler's next phase of evolution as a maturing resort community focused on enhancement and optimization of existing and approved land use and development	Supports the existing hotels utilization of existing space to improve the ability of the hotel to serve their guests.
3.1.2 – Optimize the use and function of existing and approved development	With the appropriate zoning and building permits this proposal will create additional storage space within the existing building envelope for the hotel
4.6 Visitor Accommodation – Support on-going renewal and renovation of visitor accommodations, to remain internationally competitive.	The proposed conversion of the attic space is an interior renovation and will not alter the existing rooflines, views from surrounding properties or impede upon the use of public areas in the village.

4.6.1.1 – Require a high standard of quality for building maintenance and all renovation, redevelopment and development projects	The proposed conversion of the attic space is an interior renovation and will not alter the existing rooflines, views from surrounding properties or impede upon the use of public areas in the village.
Development Permit Area: Whistler Village Design Guidelines (Schedules M and T) regarding exterior design, views and limiting impact of construction on the use of public areas in the village	

Green Building Policy

The Municipality has an opportunity to require specific commitments in respect of green building features through its discretionary authority to enact and amend zoning bylaws. The Municipality's Green Building Policy has six broad green building objectives, as well as performance goals by building type. Staff recommends that given the minor amount of construction required for the conversion of the existing floor area to gross floor area, that the registration of a S219 Covenant regarding green building objectives in Policy G-23 not be required as a rezoning condition.

Works and Services Charges Bylaws

The additional gross floor area for the proposed conversion of the attic area to storage area will generate approximately \$9,304 in applicable development cost charges for sewer, water, transportation, recreation and employee housing services pursuant to the applicable bylaws.

BUDGET CONSIDERATIONS

The proposed development will be subject to rezoning application processing fees and building permit fees.

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

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign has been posted on the property. No formal community engagement has been undertaken to date with respect to the application.

Staff recommend, as there are no exterior changes to the building envelope, the holding of a Public Open House and a Public Hearing be waived. This is consistent with direction provided by the Whistler Village Density Policy G-24 when the proposal is supported and consistent with Policy G-24, and as permitted by Section 890(4) of the *Local Government Act* given the proposed bylaw is consistent with the municipality's Official Community Plan.

SUMMARY

This report presents the rezoning proposal for Council's consideration and Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014 for first and second readings and recommends the public open house and public hearing be waived which is permitted when a proposal is consistent with the Whistler Village Density Policy G-24 and the municipality's OCP.

Respectfully submitted,

Robert Brennan MCIP RPP

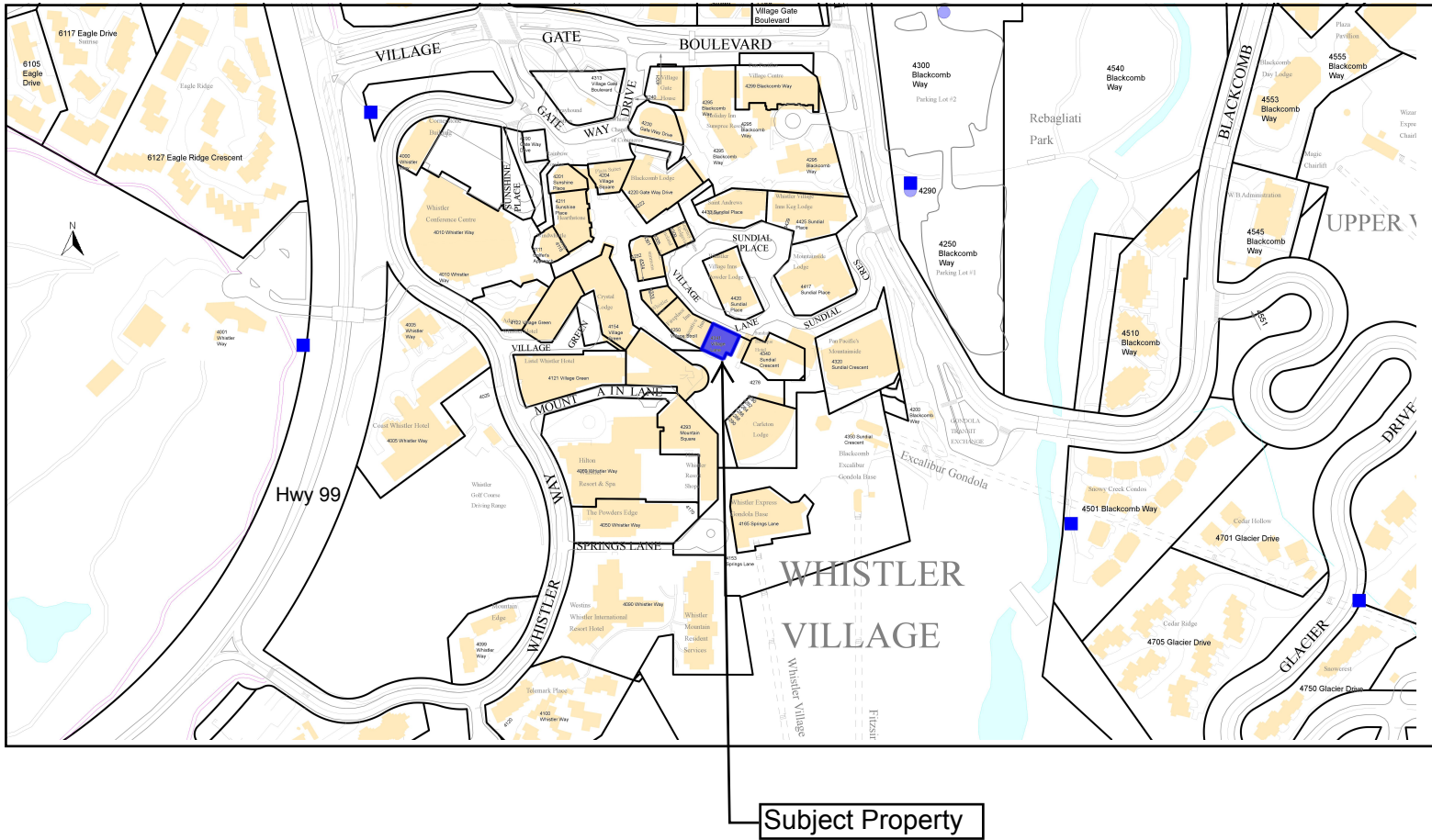
PLANNER

for

Jan Jansen

GENERAL MANAGER, RESORT EXPERIENCE

Location Map - 4341 Village Lane Clocktower Hotel





REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-035

FROM: Resort Experience

FILE: RZ 1078

SUBJECT: RZ 1078– 2007 KAREN CRESCENT REDEVELOPMENT

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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

REFERENCES

Location: 2007 Karen Crescent, Whistler, BC

Legal Description: District Lot 4759, Plan VAS4

Owner: Owners, Strata Plan

Current Zoning: Residential Multiple 48 (RM48)

Appendices:

- “A” Location Plan
- “B” Rezoning Rationale and Design Approach (February 3, 2014)
- “C” Site Concept Plan
- “D” Architectural drawings (February 3, 2014)
- “E” Existing RM 48 Zone

PURPOSE OF REPORT

This report presents a zoning amendment for an 11-unit townhouse project located at 2007 Karen Crescent ('The Coops'). The Coops are situated adjacent to the Husky gas station in Whistler Creek, and are currently unoccupied. The rezoning application requests a modest increase in building height and floor space ratio.

The report recommends that Council endorse further review of the application.

DISCUSSION

Background

The Coops, a 12-unit townhouse complex at 2007 Karen Crescent was developed in the late 1960s. It was registered with the Land Registry of British Columbia on September 12, 1969 as Strata Plan VR 4. Subsequent adoption of the Squamish Lillooet Regional District's zoning bylaw made the property legally non-conforming, a status which continued through the ensuing years of RMOW

jurisdiction under Zoning Bylaws No. 9 and 303. In 2002, Zoning and Parking Bylaw 303, 1983 was amended to rezone the property from RT3 (a single-family detached and duplex dwelling zone) to RM48 zone, giving the development conforming status. The RM48 zone was drafted at the time to reflect the existing conditions of the development. It allowed for a 12-unit townhouse complex with a maximum gross floor area of 577 m², a floor space ratio (FSR) of 0.30, and a maximum height of 7.6 metres (two storeys).

The existing building is now boarded up and is considered to have reached the end of its lifespan. In 2008, Bylaw 1560 was adopted to amend the original RM48 zone and facilitate redevelopment of the property. The allowable gross floor area was increased to 711 m² and the FSR was increased to 0.34. The maximum number of townhouse units was decreased from 12 to 11 units. The number of bed units allocated to the property was increased from 24 to 33. A Development Permit (DP) was approved by Council on November 3, 2008, but the plans were deemed too costly to implement and were not pursued by the owners. The DP was never officially issued.

Proposed Zoning Changes

The owners of the Coops are now proposing a new design for an 11-unit, 3-storey townhouse complex to replace the existing 12 units. Proposed changes, relative to the current RM48 zoning and previously approved DP are as follows:

1. Increase in Building Height – The proposed height of the new building is 9.5 metres, representing an increase of 0.9 metres from the maximum building height of 8.6 metres currently permitted by the RM48 zone. The purpose of this increase is to raise the building above the elevation of Whistler Creek and avoid a driveway that would slope downward to the building from Karen Crescent. The previously approved project was approximately 5' 0" underground, below the level of Whistler Creek.
2. Increase in Floor Space Ratio – The proposed FSR is 0.43, equating to a gross floor area of 826 m². An FSR of 0.37 and a maximum gross floor area of 711 m² are currently permitted by the RM48 zone. (For context, the permitted floor space ratio for the RM1 zone is 0.4, RM2 is 0.32, and RM3 is 0.30.) The proposed increase in FSR provides an additional bedroom (from one to two bedrooms per townhouse unit) by closing in the loft area shown in the previously approved design.

The façade of the building is modified from the currently approved DP to include less glass and more articulation of the building. The design is 'west coast modern' and includes a mixture of materials: metal and cedar siding, aluminum clad windows, architectural concrete, cedar fencing, and aluminum and satin etch railings and glass. Deep overhangs are provided where possible and the ratio of wall to windows is optimized for solar design. The façade is articulated by means of staggered units and vertical separation between floors with aluminum awnings. The change in building façade translates into a small decrease in building footprint relative to the design currently approved.

The applicant's rezoning rationale and design approach is attached as Appendix A. The site plan and architectural drawings are attached as Appendices B and C.

Table 1 compares the existing Coops building with the original 2002 RM48 zone, the current RM48 zone, and the changes proposed by RZ 1078.

Table 1. Development and Zoning Comparison

	Existing Building	RM48, 2002 Zoning	RM48, 2008 Rezoning (Bylaw 1560)	Proposed (RZ 1078)
Use	12-unit townhouse	12-unit townhouse	11-unit townhouse	11-unit townhouse
Maximum Gross Floor Area	514 m ²	577 m ²	711 m ²	826 m ²
Maximum FSR	0.27	0.30	0.37	0.43
Maximum Site Coverage	25%	35%	35%	35%
Height	7.6 m	7.6 m	8.6 m	9.5 m
Bed units	24	24	33	33

For context, Table 2 provides a comparison of building heights and FSR of the immediately surrounding properties.

Table 2. Comparison of Building Heights and FSR of Surrounding Properties

Address/Name	Zoning	Building Height (m)	FSR
2007 Karen Crescent (proposed)	Proposed amendment	9.5	0.43
2007 Karen Crescent (existing)	RM48	8.6	0.37, up to max. 711 m ²
2101 Lake Placid Road (Husky Gas Station)	CS1	5.0	0.25
2102 Lake Placid Road (Southside Diner)	CL1	7.6	0.6
2008 – 2022 Karen Crescent (immediately across the street)	RT3 (Two Family Residential Three) – detached and duplex dwelling	7.6	0.45, up to max. 375 m ²
2002 – 2006, 2026 Karen Crescent (across the street)	RM25 (Multiple Residential Twenty-Five) – detached dwelling, duplex, triplex up to 3 units, apartment up to 3 units	7.6	0.45, up to max. 375 m ²
2021 Karen Crescent (Whistler Creek Lodge)	Land Use Contract – hotel with commercial	10.7	n/a
Creekside Village (across highway)	CC2 (Commercial Core Two) – hotel, inn, lodge, retail, personal service	lessor of 16.5 m or 4 storeys	n/a

ADP Review

The Advisory Design Panel reviewed the rezoning submission on March 19, 2014. A motion was carried in favour of the proposed increase in height and density, however, a number of design issues were identified. These issues can likely be resolved through the zoning amendment process, should review of the application proceed. ADP minutes were not available at the time of writing this report.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Building design, construction, and operation is characterized by efficiency, durability, and flexibility for changing and long-term uses.	The proposed design will create homes that are more efficient and liveable than the existing building, and more cost effective than the design currently approved by DP.
	The built environment is attractive and vibrant reflecting the resort community's character, protecting views, and evoking a dynamic sense of place	The design concept submitted is contemporary, attractive, and with some revision, suitable both to the existing neighbourhood and the mountain environment. The modest increase in height (0.9 m) would result in minimal loss of mountain views from properties to the west.
	Continuous encroachment on nature is avoided.	This is already a disturbed site. Redevelopment does not affect natural areas within the municipality.
	Residents live, work, and play in relatively compact, mixed use neighbourhoods that reflect Whistler's character and are close to appropriate green space, transit, trails, and amenities and services.	The proposed development fits into the existing neighbourhood from both a density and design perspective. Access to green spaces, transit, trails, and amenities already exist.
	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The proposed design reflects many elements of the Green Building Policy.
Natural Areas	A policy of no net habitat loss is followed, and no further loss is preferred.	The proposed redevelopment infringes on the 10 metre streamside protection area for Little Whistler Creek, in a similar manner as the existing building footprint. The environmental review provided by the applicant indicates that no harmful alteration or destruction of fish habitat will occur as a result of the redevelopment.

OTHER POLICY CONSIDERATIONS

Official Community Plan

The subject property falls within the Whistler Creek Centre subarea of the Core Commercial designation in the Official Community Plan (OCP). The neighbourhood is a 'multiple use commercial centre.' The proposed rezoning is largely consistent with policies applicable to the Core Commercial designation. Continuing residential use of the property through the current rezoning is consistent with efforts to achieve a balanced supply of commercial space in the community. Whistler Creek is considered to have a more than adequate supply of commercially zoned land for the present and the foreseeable future. Table 4 indicates that the proposed zoning amendment is supported by key objectives and policies contained within the OCP.

Table 4. Key OCP Policies and Objectives

Objective/Policy	Comments
Objective 3.1.1 – Establish and adhere to community determined growth limits through this OCP.	
Policy 3.1.1.3 – Restrict Whistler’s accommodation capacity to a maximum of 61,750 bed units.	The proposed redevelopment does not increase the bed unit count beyond the number approved for the property in 2008 (33 bed units).
Objective 3.1.2 – Optimize the use and function of existing and approved development.	
Policy 3.1.1.2 – Contain Whistler’s 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.
Policy 3.1.2.4 – Support needed reinvestment, renovation, and redevelopment of aging properties, and in particular in Whistler’s core commercial areas as a means to enhance the Whistler experience and individual building performance, both of which are recognized as public benefits.	The rezoning supports this policy by facilitating the redevelopment of an aging building.
Objective 3.2.1 – Reinforce Whistler’s mountain resort character, compact development pattern, social fabric, economic vitality and diversity.	
Policy 3.2.1.9 – Enhance the high visual quality along the highway corridor through Whistler, through measures including...(c) maintain and reinstate vegetative buffers and screening of development adjacent to the highway travel corridor...	Staff would work with the proponents to protect and enhance the vegetative buffer adjacent to the highway to the greatest extent possible during redevelopment of the property.
Objective 3.2.2 – Protect human safety and property from natural hazards.	As a condition of zoning amendment bylaw adoption, a flood protection covenant will be registered on the title of the property.
Objective 4.3.1 – Encourage environmentally friendly and energy efficient design, construction, and renovation standards for both new development and redevelopment of residential areas.	
Policy 4.3.1.1 – Encourage all new buildings and renovations to be built with environmentally sustainable methods, standards, and technologies representing best practices.	The proposed design reflects many elements of the Green Building Policy. As per the Policy, a condition of zoning amendment bylaw adoption will be registration of a green building covenant.
Objective 4.8.1 - Achieve a balanced supply of commercial space and reinforce Whistler’s historic nodal development pattern, commercial hierarchy, and mountain resort community character.	
Policy 4.8.1.1 - Over the next five years, limit the addition of new commercial space that is not currently zoned, to support optimization and ongoing success of existing commercial developments.	The proposed zoning amendment will maintain the existing residential land use.

Objective 4.9.3 - Strengthen the village character and function of Whistler Creek as a mixed-use resort community destination for visitors and residents, anchored by the Creekside ski base.	
Policy 4.9.3.3 - Encourage renovation and redevelopment of commercial and multiple-accommodation properties to enhance the attractiveness, character, and experience of this sub-area.	The rezoning supports this policy by facilitating the redevelopment of an aging building.
Policy 4.9.3.4 - Consider the potential for infill development and increased densities of residential accommodation in this sub-area.	The proposed zoning would allow for an appropriate level of density considering building constraints on the site (riparian buffer, adjacency to Highway 99, protection of views for properties to the west, etc.)
Objective 6.2.1 – Recognize the physical and visual value of a harmonious, interconnected, built and natural environment.	
Policy 6.2.1.5 – During development or significant redevelopment, the preferred outcome is avoidance of negative environmental impacts, followed by minimization/mitigation, thirdly by restoration, and lastly by compensation for impacts.	The proposed redevelopment infringes on the 10 metre streamside protection area for Little Whistler Creek, in a similar manner as the existing building footprint. The environmental review provided by the applicant indicates that no harmful alteration or destruction of fish habitat will occur as a result of the redevelopment.

The OCP allocates bed units to a property according to the size of the dwellings:

1. Dwelling units smaller than 55 m² = 2 bed units,
2. Dwelling units 55 – 100 m² = 3 bed units,
3. Dwelling units 100 m² and greater = 4 bed units.

The current RM48 zone regulating the subject property permits 11 townhouse units with a maximum potential development of 711 m². This translates into 11 dwelling units with an average size of 64.6 m² each, and a total of 33 bed units. The proposed zoning amendment contemplates 11 dwelling units with an average size of 75.1 m². As the size of the townhouses still falls within the 55 – 100 m² range, an increase in the number of bed units is not proposed for the property.

The subject property is located within the Protection of Wetlands and Riparian Ecosystems Development Permit Area (DPA) and the Whistler Creek DPA, which establishes objectives for form and character of multi-family residential developments. A development permit application has been submitted, and the proposal will require development permit approval from Council. An initial review of the proposed design indicates that the project is largely consistent with the intent of the DPAs.

Green Building Policy

An initial review of the green building checklist submitted for the project indicates that the RMOW's Green Building Policy's six broad objectives are accounted for in the design, construction, and operation of the proposed 11-unit townhouse complex:

1. Site / Landscape - Minimize disturbance to soils, vegetation and hydrology through careful location, design, construction practices and site rehabilitation.

2. Energy - Decrease energy requirements and associated greenhouse gas emissions; lower the share of energy supplied by non-renewable sources. Target net zero energy consumption.
3. Water - Reduce the total volume of water used for buildings and associated landscaping; lower the share of water needs met through the municipal potable system.
4. Materials - Use less new material through efficient design and engineering, and material reuse; increase the application of renewable, recycled and locally-sourced materials.
5. Waste - Lower the total volume of waste sent to landfills during construction and occupancy; work toward the community's goal of generating no landfill waste.
6. Indoor Environment - Minimize chemical emissions from materials used in buildings; provide excellent ventilation and air exchange equipment.

As per Council's Green Building Policy, registration of a green building covenant on the title of the property will be a condition of zoning amendment bylaw adoption.

BUDGET CONSIDERATIONS

There are no significant budget implications with this proposal. The applicant is responsible for paying all rezoning application processing fees and related expenses.

COMMUNITY ENGAGEMENT AND CONSULTATION

An information sign has been posted at the subject property to allow for public inquires about the application. A public hearing, which is subject to public notice requirements, is required as part of the statutory process for bylaw consideration and adoption.

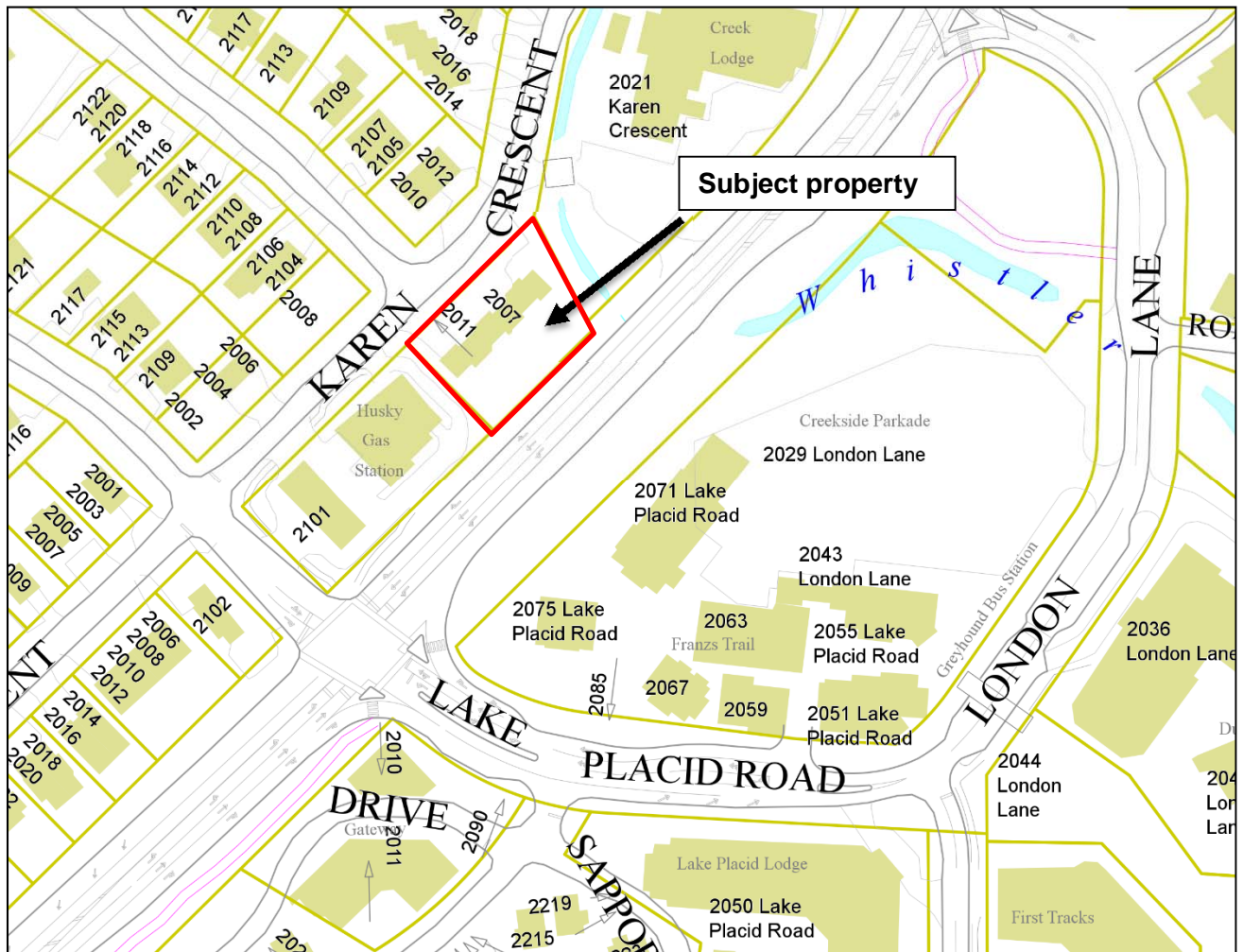
SUMMARY

This report presents a rezoning application for an 11-unit townhouse project located at 2007 Karen Crescent. The rezoning application requests a modest increase in building height (from 8.6 metres to 9.5 metres) and an increase in floor space ratio (from 0.37 to 0.43). Planning staff are supportive of the application proceeding for further review.

Respectfully submitted,

Amica Antonelli
PLANNER
For
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX A





2007 Karen Crescent

Rezoning and Develop Permit Amendment Application

Rezoning Rationale,

Whistler 2020 Success Analysis and

Design Approach Relative to DP Area Guidelines

February 3, 2014

The Project:

The Coops is an 11-unit townhouse project that was granted a Development Permit in 2009 under RM48 Zoning. With the design heavily exceeding the available budget, the project was unable to move forward. It is currently wholly owned by its strata corporation, which has approved the new redevelopment and this application. Over time, the existing building has become part of Whistler's older character with its own characteristic name.

Government Policies - Zoning and OCP

The property is currently zoned RM48 and is designated as Commercial in the Whistler Creek area of the Whistler OCP. The current zoning originated using the specifications of the existing building, which dates back to approximately 1970 and has little relevance to the buildings of the surrounding area, RM1 standard townhouse zoning or CC2 Commercial Zoning.

The newly proposed Coops design meets and easily exceeds all CC2 zoning requirements and meets all but one RM1 zoning requirement. Additionally, the Coops redesign decreases the footprint of the building from the approved DP and does not require additional bed units from the currently allotted 33 units.

This new building, as in the previously approved design, includes 11 new townhouse units. The proposed amendments from the approved design are summarized as follows:

1. Height raised 0.9m from 8.6m to 9.5m (RM1 zoning = 10.7m)
 - To raise the building above the creek elevation and avoid a driveway that would slope dramatically toward the building. (The previously approved project was approximately 5'-0" underground, below the level of Whistler Creek.)
2. Floor Space Ratio increased from .37 to .43 – a difference of .06 (RM1 zoning = .4)
 - Without increasing the footprint of the previously approved building, provide an additional bedroom by closing in the loft area provided in the previous application, creating a more efficient plan.



3. Exterior cosmetic amendments including:

- Windows - The February 27th 2008 ADP recommended reducing the amount of glazing. The *“Panel felt that the amount of glazing might need some reconsideration.”*
- Railing systems - The railing system has been amended to a satin etch glass and aluminum system to afford the owners greater privacy on their decks and the privacy fences have been amended to be constructed of cedar fencing
- Exterior Siding – Addition of 4’x8’ painted cement board panels on sides of the building
- Architectural Concrete - As a flood control measure the garage floor level walls have been designed as architectural concrete similar to the Whistler Library.

Project Benefits, Neighbourhood, Impact

This project:

- Will improve and update the condition of the unsightly 1970s property through Building and Landscape Design and be more in keeping with contemporary projects that are emerging and renewing the face of the neighbourhood.
- Regarding massing: The current neighbourhood massing is shaped by duplex residential homes to the West, a mixed condo/commercial development to the North and gas station to the South. In the February 27, 2008 ADP the panel requested, *“Consider the opportunity to raise the elevation of the building to reduce the need to build walls, stairs and sunken parking”*. We acted on this suggestion and raised the building while being respectful of current massing and site lines. The maximum height of the buildings is planned to be below the permitted height allowances of RM1 and significantly below the height of CC2 zoning, which governs most of the buildings in the surrounding area.
- Protects the environment and safety of the development with a site plan that optimizes environmental, physical, flood and unit protection concerns.
- Exceeds the minimum requirement for parking for a development of this kind, thereby reducing the need for parking on the street. The driveway and parking is accessed off Karen Crescent with 22 spaces for the residents plus the required 2 visitor space located in the north portion of the driveway, totaling 24 spaces.
- Site is in a unique location – adjacent to Whistler Creek, across from duplex homes to the west, a mixed condominium / commercial development to the North, a gas station to the south and proximity to the Creekside ski lifts. It has high exposure to highway 99 and mountain views to the east and Karen Crescent to the south. Creekside is considered to be the heart of the gateway to Whistler and so there is an opportunity to provide an updated building that will not only add to the area's vibrancy, but incorporate Whistler's relatively new standards of sustainability and green building practices:



Site Design and Water Management

The team will explore and respond to the site's ecosystem. We plan to retain and slow down the storm water on site, to provide rain gardens and to reduce water consumption through use of appropriate plumbing fixtures and other hardware technology.

Material Management

The West Coast Modern, 3 story building will use a mixture of materials including metal and cedar siding, aluminum clad windows, architectural concrete, cedar fencing and aluminum and satin etch railings and glass. We plan to reduce construction material waste and will promote the use of durable materials with recycled content for site and building finishes. Low VOC materials will be used to maximize healthy indoor air quality for all users.

Orientation and Massing

The impact of sun exposure and shading is carefully analyzed. The basic building shape is developed with envelope detailing for the best ratio of wall to windows and consideration of shading options, including insulation values.

Heating, ventilation and lighting

Natural day lighting will be maximized and long-lasting low energy consumption light fixtures will be used throughout the building. We will incorporate active technological and passive energy-saving solutions for heating, cooling and ventilation in addition to specifying appropriate window types and sizes to promote natural cross ventilation and day lighting.

Revitalization

According to the RMOW OCP, the Whistler Creek DP area is:

- *“designated for revitalization of an area in which a commercial use is permitted and designated for the establishment of objectives for the form and character of commercial or multi-family residential development.”*

Through Architectural and Landscape Design, The Coops project achieves the objectives as set out in the DP guidelines. The existing coops 12 unit multi-family residential building, located at the heart of the access to Whistler, dates back to the 1970s and is an unsightly and unsafe building. The proposed project is in keeping with the more contemporary projects that are emerging in and renewing the neighbourhood.



Site Planning

The Coops preserves its original multi-family residential status rather than add to a commercial area that is already underutilized.

The existing 12 units are accessed off of Karen Crescent. An at-grade gravel lot facing Karen Crescent has been used for owner parking. The proposed building provides at-grade garages and a landscaped berm separating the driveway from the public sidewalk. The landscaped area serves to maintain pedestrian scale, provide a visual buffer – offering the tenants a modicum of privacy - and improve safety by separating pedestrian and vehicular circulation. From the street, it also helps minimize the overall massing of the building and enhances the streetscape.

Site analysis reveals that mountain views from across Karen Crescent are easily maintained.

Architectural Design

- The design respects and responds to the existing established urban context and neighbourhood.
- It utilizes the West Coast Regional vocabulary of architecture, similar to the unit designs of other developments including Red Sky Townhomes at Baxter Creek; Whitewater, Riverbend and The Heights at Cheakamus Crossing.
- Incorporates durable materials in combination with wood elements.
- The facades are articulated by means of staggered units and vertical separation between floors with aluminum awning systems.
- The design celebrates our coastal climate by providing deep overhangs where possible protecting the building from precipitation, reducing solar heat gain at glazed areas and by animating the building's facades with dynamic shadow effects.
- The impact of sun exposure and shading is carefully analyzed. The basic building shape is developed with envelope detailing for the best ratio of wall to windows and consideration of shading options, including consideration of insulation values.
- The roof design provides deep overhangs and is designed to keep snow on the roof.



Landscape Design

- Overall, the design protects the environment and safety of the development with a site plan that optimizes environmental, physical, flood and unit protection concerns.
- The Coops building site is situated on a stream edge, amongst lush native vegetation. This setting, where the building is nestled in nature, provides an opportunity to take a sensitive approach to the landscape design. Our approach involved examining, inventorying and photographing the native vegetation of the area – along the creek, roads and Beaver Flats area. The landscaping for the project will blend with the native plant palette of the area, rejuvenate areas that will be disturbed by demolition and construction, and reduce or eliminate the need for irrigation.
- With the removal of the large cottonwood trees, the view from across Karen Crescent to the mountaintops will improve.
- A landscaped area fronting on Karen Crescent will improve the streetscape and separate pedestrian and vehicle circulation. It also provides a visual buffer between the sidewalk and parking area.
- A landscaped area is proposed along the border of highway 99 with dual purpose of ‘greening up’ the highway landscape (in part to restore the sense of vegetated edge lost with relocation Whistler Creek) and to provide a sound barrier and visual screen to the highway from new residences.
- There currently exists a Riparian area on the North of the property which has a SPEA flex, approved by DOF and MOE and is backed up by an environmental support from Cascade Environmental. No changes are planned within this area from the approved plan.
- There will be a planted buffer along the fence bordering the gas station.
- The landscape design utilizes the eastern area of the site as green space with opportunities for relaxation, gardening, gathering and play.
- Planting at the north edge of the building in proximity to Whistler Creek will be planted with riparian species to blend with existing natural vegetation.

Water Management

The team will explore and respond to the site’s ecosystem. We plan to retain and slow down the storm water on site, to provide rain gardens and to reduce water consumption through use of appropriate plumbing fixtures and other hardware technology.



Sustainability Considerations

Our team is committed to delivering:

Social Sustainability

- Allows owners to work and live in the Whistler in an existing established residential neighbourhood in a compact community design
- Provides alternate to single unit dwellings for a more compact and affordable life style
- Encourages pedestrian and bicycle – oriented movement within community with easy access to local trails.
- Improves neighbourhood livability and accommodates Housing Diversity
- Provides a comprehensive housing accommodation within relatively close proximity to community services
- Access to Public Transportation is relatively easy as the bus route extends close to site
- Increases sustainability awareness in Whistler

Economical Sustainability

- Contributes to Municipality of Whistler revenue from permit fees
- Provides construction spending in community
- Results in net increase in property tax base to support enhanced community services
- Increases direct employment during construction
- Indirect employment to support local retail, commercial and service sector

Cultural Sustainability

- Employs quality design elements to add vibrancy and support community values
- Identify and involve local trades and designers for some of our building components
- Identify and involve local trades and designers in designing and building our site signage and common area structures including, entry signage and landscape features.

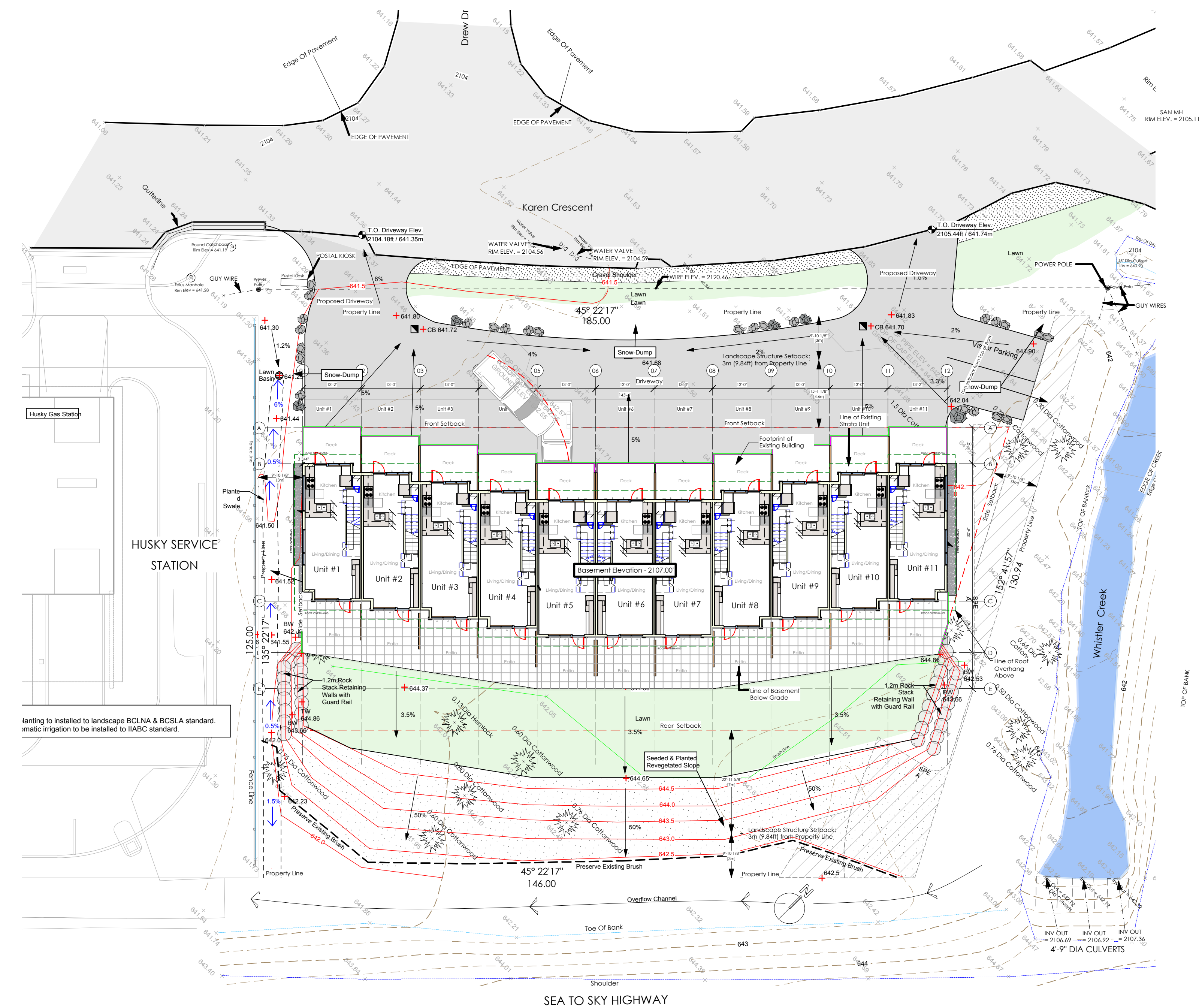
Integrated Design and Engineering

Team members will meet in February to enhance the DP application and respond to any recommendations from the RMOW:

General Contractor
Architect
Structural
Civil, Storm Water and Road Summary
Geotechnical
Hydrology
Environmental

Diamond Head Development
AKA Architecture + Design
Jansson Engineering
Binnie Engineering
EXP
KWL
Cascade

Site Plan - Proposed Project



Revised Site Plan

Project Info

Civic Address: 2007 - 2011 Karen Cr. Whistler, BC
Legal Address: Strata Lots 1-12, DL 4749, GP 1, NWD, Strata Plan VR-4
PID:
Zoning: RM 48 (Medium Density Multiple Residential Development)

	Req'd	Provided
Min. Parcel Area:	1,800.0m2	1,922.0m2
Min. Lot Width:	0.0m	0.0m
Min. Lot Depth:	0.0m	0.0m
Max FSR (711 m2):	0.37	0.43
Max GFA:	711m2	826m2
No. Principal Bldgs:	1	1
Max. Site Coverage:	35%	30%
Front Setback (Karen Cresc)	7.6m	7.6m
Side Setback (@Husky)	3.0m	3.0m
Side Setback (Creek - DFO & RMOW)	3.0m	3.0m
Rear Setback (Highway side)	10.0m	10.0m
Building Height	8.6m	9.5m
Min. Building Width:	0.0m	0.0m
Footprint Area		573.7 m2
Parking Spaces (max 2 per unit):	1.5 per unit (17)	2 per unit (22)
Townhouse Units	11	11
Visitor Parking Spaces (10% of total required)	2	6

GFA:	Area sq.ft.	Area m2
L1 Typ. Units (9)	28	3
L2 Typ. Units (9)	389	36
L3 Typ. Units (9)	388.5	
L1 End Units (2)	27.8	
L2 End Units (2)	393	37
L3 End Units (2)	393	37
TYPICAL Unit Gross Floor Area	810	75
END Unit Gross Floor Area	814	76
Project Gross Floor Area	8,915	828

The requested .06 increase in FSR does not increase the building footprint.

aka
architecture + design inc.

40258 Glenalder Pl, Unit 112
Squamish BC V8B 0G2
P:604.567.1009
F:604.567.1019
www.aka-arch.ca

14/01/31	Issuing/OP
	ISSUE DATE

East & West Elevations

Whistler "Coops"

2007 Karen Crescent, Whistler, BC

Jan 2014

1/8" = 1'-0"

A3.01

1314



1 WEST ELEVATION
Scale: 3/16" = 1'-0"



2 EAST ELEVATION
Scale: 3/16" = 1'-0"

REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			

COPYRIGHT RESERVED: This design and drawing is the exclusive property of a|k|a architecture + design and cannot be used for any purpose without the written consent of the Architect. This drawing is not to be used for construction until issued for that purpose by the Architect.

PRIOR TO COMMENCEMENT OF THE WORK: the Contractor shall review and verify drawing dimensions, datum and levels to identify all discrepancies between information on this drawing and 1) actual site conditions; and 2) the remaining Contract Documents. The Contractor shall bring these items to the attention of the Architect for clarification before proceeding with work. Examine all discipline drawings, specifications, and schedules and related work to ensure that Work can be satisfactorily executed. Conflicts or discrepancies to be brought to attention of the Architect.

RM48 Zone (Residential Multiple Forty-Eight) (Bylaw No. 1560)**Intent**

The intent of this zone is to provide medium density multiple residential development.

In an RM48 Zone:

Permitted Uses

47.1 The following uses are permitted and all other uses are prohibited:

- (a) auxiliary buildings and auxiliary uses;
- (b) 11 unit townhouse; and (Bylaw No. 1837)
- (c) park and playground.

Density

47.2 The maximum permitted floor space ratio is 0.37 provided that in no case shall the gross floor area on a parcel exceed 711 square metres. (Bylaw No. 1837)

Height

47.3 The maximum permitted building height is 8.6 metres. (Bylaw No. 1837)

Parcel Area

47.4 The minimum permitted parcel area is 1,800 square metres.

Site Coverage

47.5 The maximum permitted site coverage is 35 percent.

Setbacks

47.6.1 The minimum permitted front setback is 7.6 metres.

47.6.2 The minimum permitted side setback is 3.0 metres.

47.6.3 The minimum permitted rear setback is 10.0 metres.

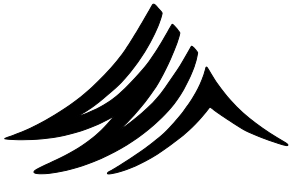
Off-Street Parking and Loading

47.7 Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Section 6 of this Bylaw.

Other Regulations

47.8.1 The minimum permitted gross floor area for a dwelling unit is 40 square metres.

47.8.2 Auxiliary residential dwelling units are prohibited.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1st, 2014

REPORT: 14-032

FROM: Infrastructure Services

FILE: 365

SUBJECT: ALTA LAKE SEWER PHASE 1 SUB-PROJECT

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Infrastructure Services be endorsed.

RECOMMENDATION

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 15th, 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.

REFERENCES

Appendix A – Term Sheet

Appendix B - Summary of Project Costs

PURPOSE OF REPORT

At the October 15, 2013 Regular Meeting of Council, staff were directed to work with the five southernmost property owners within the Alta Lake Road Sewer catchment area, to accelerate the construction of a Phase 1 “Sub-Project”, in advance of the larger Alta Lake Road sewer project schedule. Prior to Council providing final agreement, staff were directed to return to Council with a “Servicing Agreement” setting out the construction specifications, project guarantees and final cost-sharing arrangements and amounts.

DISCUSSION

A group of homeowners at the southern end of the proposed Alta Lake Road sewer service area have asked if the initial section of sewer could be advanced regardless of the timeline for the larger project. The Owners have specifically requested that the municipality allow them to construct the initial phase of the sewer within the public roadway. The construction will be to the standards set out by the Municipality and compatible with the overall larger sewer project.

Staff have worked with this group of five property owners and have received written confirmation that they are all willing to participate in this accelerated sub-project based upon the following principals:

- iv. That Council agrees in principal that the incremental cost to make the sub-project compatible with the Municipal design would be funded by the RMOW up to \$30,000 including GST.
- v. That Council agrees in principal that the remaining cost for the sub-project will be cost-shared equally between the group of property-owners (50%) and the RMOW (50%).
- vi. The property-owners backing on the railway land will be required to enter into a statutory right-of-way agreement in the event that the larger sewer project requires an alignment adjacent to the railway corridor, with that agreement to be discharged if the ultimate project alignment is determined to be within the roadway. (Requirements for a statutory right-of-way has been further reviewed and deemed not necessary).
- vii. The Municipality will relax the requirement to connect to the sewer within 180 days and will instead require the property owners of the sub-project area to connect within 2 years from the date that the sewer installation is declared substantially complete.
- viii. The Municipality will purchase and supply standard residential lift stations to any property that requires one to connect to the sewer. These standard lift stations will then belong to the private property owner, who will be responsible for installation, maintenance, and future replacement.
- ix. Any works on private property will be solely the responsibility of the private property owner.

The Owners commissioned a design from R.F. Binnie & Associates that demonstrates two sewer scenarios. The shallow sewer alignment is capable of servicing the five lots and is used to establish the 50% cost sharing calculation. The deeper configuration is required to ensure compatibility with the RMOW's ultimate sewer requirements. The costs for those two configurations are as follows:

Interim Profile (Shallow sewer to serve only five lots):	\$268,825.00
Ultimate Profile (Deep sewer to municipal specifications):	\$297,238.00

Council is being asked to pay the incremental costs attributable to the deeper RMOW sewer (approximately thirty thousand dollars). In addition, Council is being asked to fund 50% of the remaining project costs regardless of how the larger Alta Lake Road sewer project proceeds. (see budget considerations below)

The RMOW's contribution towards this project will be administered through a Servicing Agreement and follow the applicable procedures outlined in Council policy E-2. A professional engineer will certify that the works have been constructed and tested in accordance with all applicable standards and submit progress draws for the portion of works completed.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The built environment anticipates and accommodates the needs of the resident community while also satisfying the expectations of guests.	1. Avoids environmental harm. 2. Avoids harm to recreation potential.
Finance	Financial principles, practices and tools employed by both the public and private sectors encourage behaviour that moves Whistler toward success and sustainability	

OTHER POLICY CONSIDERATIONS

The RMOW's Liquid Waste Management Plan indicates that the West Side Alta Lake Road area is to be serviced with Municipal sanitary sewers. Our Official Community Plan mirrors that sentiment.

BUDGET CONSIDERATIONS

The following table summarizes the project costs:

Item	Contract price	
	Interim Profile	Ultimate Profile
Bid price by Coastal Mountain Excavations	\$201,250	\$223,800
Engineering services	\$16,000	\$ 16,000
Rock Blasting and removal	\$41,575	\$ 47,438
Contingency	\$10,000	\$ 10,000
Project Cost (excluding GST)	\$268,825	\$ 297,238

Property-Owners' Share of 50% Cost Sharing:	$(\$268,825 * 50\%) =$	\$134,412.50
RMOW Share of 50% Cost Sharing:	$(\$268,825 * 50\%) =$	\$134,412.50
RMOW Incremental costs for deeper sewer:	$(\$297,238 - 268,825) =$	\$ 28,413.00
RMOW total cost (excluding GST)	$(\$134,412.50 + 28,413) =$	<u>\$162,825.50</u>

COMMUNITY ENGAGEMENT AND CONSULTATION

Engagement and consultation has been limited to the five property owners within the Phase 1 Sub-Sewer project Area.

SUMMARY

As described to Council at the October 15th Regular Meeting, there are five properties at the southern end of the proposed Alta Lake Road sewer project area that wish to construct the first phase of the larger Alta Lake sewer project. Staff have drafted a Servicing Agreement for council's consideration, containing the guarantees necessary for construction within a public roadway, and

The RMOW fund a portion of the Phase 1 Sub-Project as outlined in this report.

Respectfully submitted,

Jeff Ertel
MANAGER OF DEVELOPMENT SERVICES
for
Joe Paul
GENERAL MANAGER, INFRASTRUCTURE SERVICES

**Appendix “A”
Term sheet**

- (a) The scope of the project is based on “the Consulting Professional,” R.F. Binnie and Associated Ltd drawing No. 13-316-S1-1 Rev C.
- (b) There is a fixed priced contract between the Owners and Coast Mountain Excavations Ltd.
- (c) The Owners shall, at the Owners’ cost, substantially complete the Works and obtain a Certificate of Substantial Completion within four months of the date of execution of the Servicing Agreement.
- (d) The RMOW has agreed to pay the incremental cost to deepen the sanitary sewer to the Ultimate Profile. These costs have been estimated at \$30,000.00 including GST.
- (e) The RMOW has agreed that the remaining cost of the sub-project will be shared equally between the Owners (50%) and the RMOW (50%) – see summary of project costs below.
- (f) Rock volumes are the only variable to the contract pricing, therefore the Consulting Professional will quantify actual rock removal volumes for both the Interim and Ultimate Profile. The contract unit rate of \$125.00 per cu.m. will be applied to measured volumes of blasted and disposed rock. The projected volume of rock to be blasted and disposed of is estimated at 379.5 cu.m. or \$47,438.00 plus GST.
- (g) The RMOW will pay its share of the costs relative to the percentage of works completed using the applicable procedures outlined in Council Policy E-2. The Consulting Professional will submit monthly progress draws for the Works completed, using the procedure outlined in the Servicing Agreement. Payment is due within 30 days of receiving the consultant’s monthly progress draw.
- (h) Changes to the contract scope or quantities must be preapproved in writing by the RMOW.
- (i) At regular intervals during the construction of the Works, R.F. Binnie & Associates will oversee the installation of the Works.
- (j) Upon completion of the Works and prior to issuance of the Certificate of Substantial Completion the Owners’ Consulting Professional shall certify in writing that the Works have been constructed in accordance with the approved plans for the Works in accordance with the approved plans for the Works and the other requirements of this Agreement.
- (k) Staff recommends that council offer residents an extended connection date from the standard 6 months to a full two years from the date of Substantial Completion.

Summary of Project Costs

Item	Contract Price	
	Interim Profile	Ultimate Profile
Bid price by Coastal Mountain Excavations	\$201,250	\$223,800
Engineering services	\$16,000	\$16,000
Rock Blasting and removal (\$125.00/cu.m)	\$41,575	\$47,438
Contingency	\$10,000	\$10,000
Project Cost (excluding GST)	\$268,825	\$297,238

Property-Owners' Share of 50% Cost Sharing: $(\$268,825 \times 50\%) = \$134,412.50$
 RMOW Share of 50% Cost Sharing: $(\$268,825 \times 50\%) = \$134,412.50$
 RMOW Incremental costs for deeper sewer: $(\$297,238 - 268,825) = \$28,413.00$
 RMOW total cost (excluding GST) $(\$134,412.50 + 28,413) = \underline{\$162,825.50}$



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1st, 2014

REPORT: 14-033

FROM: Corporate and Community Services

FILE: Bylaw No. 2046

SUBJECT: FIRE PROTECTION AND FIREWORKS BYLAW NO. 2046, 2014

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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

PURPOSE OF REPORT

The purpose of this report is to update the restrictions on open air burning to permit limited residential garden debris burning and streamline the year round campfire regulations to be consistent with the Provincial Fire Danger Rating System.

DISCUSSION

Open air burning of garden debris was eliminated in 2008 as an option for homeowners to remove woody debris. This has led to an increase in the level of combustible material accumulating on residential and commercial properties, further increasing the risk of rapidly spreading wildfires. Reduction of this combustible material by the individual homeowner helps prevent a wildfire and also protects the neighbourhood should a structure fire spread to the urban interface.

Current options for removal of this combustible material are by deposit at the Callaghan Waste Transfer station at a cost of \$30.00 per tonne or twice per year at no cost at the Nesters Waste Transfer station. Both of these options require a suitable vehicle to transport these materials, which may not be readily available to the majority of homeowners.

In 2014, a residential chipping program will be piloted that will help determine the scope for a future residential chipping program. In order for the Resort Municipality of Whistler to be successful in achieving Community Firesmart status a number of cost effective solutions need to be made available to homeowners to assist in reducing wildfire hazards.

The recommendation to return to open air burning is being done with a consideration to balance the needs of air quality and wildfire hazard reduction. Provincially, emissions from campfires are less than 0.2% and residential garden debris fires are 1%. This is compared with 27% of emissions due to wildfires. The Ministry of Environment reports the venting index in spring and fall is typically rated as good. This is also the time when the fire hazard is typically low to moderate.

Permit approval processes will be required for both campfires and garden debris fires. Campfire permits will be issued for one year and will only be valid when the fire danger rating is low or moderate and no open fire burning bans have been issued for the Coastal Fire Center. Garden debris burning permits will be issued for the period of May 1st to May 15th and October 1st to October 31st and will only be valid when the fire danger rating is low or moderate and when no open fire burning bans have been issued for the Coastal Fire Center. The permit process will require that a Firesmart assessment of the property be conducted by a member of the fire services. This will

provide a direct opportunity for public education and a list of recommendations for the homeowner to follow to reduce fire hazards and achieve Firesmart status.

In considering a return to garden debris burning, the risk to public safety was carefully evaluated. Previous fire statistics indicate that brush fires started by illegal campfires and improperly discarded smoking materials on public lands are the leading cause of brush fires.

There is no correlation between permitted garden debris burning and an increase in brush fires. While there certainly may be an increase in calls from the public on debris and camp fires, each report will be evaluated to determine if an approved permit is in place and that the permit conditions are being adhered.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	The Resort Community is safe for both visitors and residents and is prepared for potentially unavoidable emergencies	Allowing residential garden debris burning will provide additional tools to assist homeowners in eliminating wildfire hazards.
Natural Areas	Developed and recreation areas are designed and managed to protect as much of the natural environment as possible.	Understory and crown thinning contributes to a healthy and diverse forest ecosystem

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Energy	The energy system is moving towards a state whereby a buildup of emissions and waste into air, land and water is eliminated	Garden debris burning could be phased out when a residential chipping program is fully implemented.

OTHER POLICY CONSIDERATIONS

None.

BUDGET CONSIDERATIONS

There are no budgetary costs at this time as permits and inspections will be carried out by the fire fighters/ inspectors.

COMMUNITY ENGAGEMENT AND CONSULTATION

An extensive advertising campaign in local media, websites and community outreach will take place in April and May.

SUMMARY

In order for the Resort Municipality of Whistler to be successful in achieving Community Firesmart status a number of cost effective solutions need to be available to assist homeowners in reducing wildfire hazards. Permitting residential garden debris burning is one of these options. As other effective solutions are put in place, such as a residential chipping program, then the garden debris burning program could be phased out.

Respectfully submitted,

Sheila Kirkwood

Fire Chief

for

Norm McPhail

GM Corporate and Community Services



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 1, 2014

REPORT: 14-034

FROM: Corporate and Community Services

FILE: 3004.24

SUBJECT: 2014 COMMUNITY ENRICHMENT PROGRAM

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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
TOTAL	146,135

PURPOSE OF REPORT

The purpose of this report is to obtain authorization from Council to award funding under the Community Enrichment Program.

DISCUSSION

The Municipality received 26 Community Enrichment Program Applications for 2014 with a total of \$249,085 in grant requests. Council received a copy of all applications and presentations were made by the applicant organizations to Council during the afternoon Committee of the Whole meeting on March 4, 2014. Council subsequently discussed the applications for funding and the recommendations being presented for consideration reflect Council's discussion.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts, Culture and Heritage	<ul style="list-style-type: none"> -The community is passionate about the arts, culture and heritage, which have become a part of Whistler's spirit and community life, and is alive with creative energy and aesthetic appreciation. -A range of authentic and creative arts, cultural and heritage opportunities are meaningful, accessible and financially affordable to residents and visitors. -Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy. 	<p>This will be achieved through the grants proposed for the Whistler Children's Chorus, the Point-Artist Run Centre Society, the Whistler Valley Quilters' Guild and the Whistler Writers Group.</p>
Health and Social	<ul style="list-style-type: none"> -Community members and visitors maintain and improve their physical, mental and spiritual and social health through prevention and treatment services. -Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness. -Whistler is accessible and inclusive for community members and visitors with disabilities. -Whistler organizations and stakeholders work together to meet the health and social needs of community members and visitors. -Community members accept responsibility for their own health, and that of other members of the community, by participating in the activities identified in this description of success. 	<p>This will be achieved through the grants proposed for the Howe Sound Women's Centre, North Shore Schizophrenia Society, Sea to Sky Community Services Society, Whistler Waldorf School Society, BC Luge Association, Whistler Adaptive Sports Program, Whistler Gymnastics Club, Whistler Nordics Ski Club, Whistler Off Road Cycling Association, Whistler Roller Girls Society, Whistler Skating Club, Whistler Youth Soccer Club, Whistler Sailing Association, Whistler Sea Wolves, and Zero Ceiling Society.</p>

Learning	<ul style="list-style-type: none"> -A high quality kindergarten through post-secondary education system offers a diversity of programs that meet the needs and expectations of the community. -Diverse, affordable and accessible lifelong learning opportunities exist to meet the community's needs. 	This will be achieved through the grants proposed for the Whistler Secondary School Scholarship, Whistler Waldorf School Society, and Spring Creek Community School.
Natural Areas	<ul style="list-style-type: none"> -An ecologically functioning and viable network of critical natural areas is protected and, where possible restored. -Backcountry areas are protected from overuse and degradation. -Community members and visitors act as stewards of the natural environment. 	This will be achieved through the grant proposed for AWARE, the Get Bear Smart Society, Whistler Naturalists Society, Sea to Sky Invasive Species Council, and Whistler Centre for Sustainability.
Recreation & Leisure	<ul style="list-style-type: none"> -Residents and visitors of all ages and abilities enjoy activities year-round that encourage healthy living, learning and a sense of community. -Recreation and leisure are part of the Whistler lifestyle and all community members are able and encouraged to participate. -The resort community is globally recognized as a leader in innovative recreation products and services. -Recreational experiences reflect an appropriate balance between adventure, challenge and safety, and exist within the comfortable carrying capacity of the amenity. 	This will be achieved through the grant proposed for BC Luge Association, Whistler Adaptive Sports Program, Whistler Gymnastics Club, Whistler Nordics Ski Club, Whistler Off Road Cycling Association, Whistler Roller Girls Society, Whistler Sailing Association, Whistler Sea Wolves, Whistler Skating Club, and Whistler Youth Soccer Club.
Partnership	<ul style="list-style-type: none"> -Residents, taxpayers, business and local government hold a shared vision for the resort community and work in partnership to achieve that vision. -Partners work together to achieve mutual benefit. 	All proposed grants work towards these descriptions.

The Community Enrichment Program is meant to move Whistler towards the descriptions of success outlined in Whistler 2020. Within some of the applications, there are some components that may move Whistler away from some of the descriptions of success. Please refer to the individual Community Enrichment Program applications circulated to the March 4, 2014 Committee of the Whole meeting.

OTHER POLICY CONSIDERATIONS

Council Policy

Council is guided by Council Policy A-7 (Community Enrichment Program), which outlines the requirements of organizations wishing to apply for financial assistance. Assistance may be provided

to non-profit organizations or societies contributing to the general interest and advantage of the municipality.

BUDGET CONSIDERATIONS

The 2014 Operating Budget provides for \$146,200 for the Community Enrichment Program. Staff is recommending that Council award \$146,135 as outlined above.

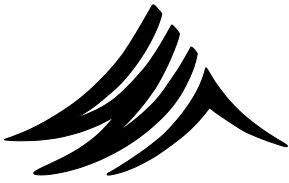
COMMUNITY ENGAGEMENT AND CONSULTATION

SUMMARY

Council provides grants to local non-profit organizations or societies on a yearly basis. Twenty-six Community Enrichment Program applications were received and applicants were provided the opportunity to present to Council. This report provides recommended funding based on discussions with Council.

Respectfully submitted,

Shannon Story
MANAGER OF LEGISLATIVE SERVICES
for
Norm McPhail
GENERAL MANAGER, CORPORATE & COMMUNITY SERVICES



WHISTLER

MINUTES

REGULAR MEETING OF PUBLIC ART COMMITTEE JANUARY 15 2014, STARTING AT 4:30 P.M.

**In the Piccolo Room
4325 Blackcomb Way, Whistler, BC V0N 1B4**

PRESENT:

Kerry Chalmers
Ron Denessen
Michelle Kirkegaard
Stephanie Sloan
Jane Wong
Recording Secretary, Kevin McFarland

REGRETS:

Ian Crichton
Penny Eder
Marie-Eve Masse
Whistler Arts Council Representative, Andrea Mueller
Kat Sullivan
Councillor, Andrée Janyk

ADOPTION OF AGENDA

Moved by Jane Wong
Seconded by Michelle Kirkegaard

That Public Art Committee adopt the Public Art Committee agenda of March 19, 2014.

CARRIED

ADOPTION OF MINUTES

Moved by Jane Wong
Seconded by Kerry Chalmers

That Public Art Committee adopt the Regular Public Art Committee minutes of January 15, 2014.

CARRIED

PRESENTATIONS/DELEGATIONS

Public art presentation

A presentation by Kevin McFarland was given regarding background on the Public Art Program. A discussion was held.

OTHER BUSINESS

- Administration The status of Committee member terms was reviewed. Notwithstanding resignations from the Committee, the next significant membership change will take place April, 2015, when five current members will have reached their maximum term limit.
- Updates The Timeless Circle project update concerned the artist's search for a bronze casting consultant and foundry.
- 2014 Projects A new Valley Trail public art project will be developed for 2014. A map of existing Valley Trail sculptures was distributed and the upcoming project was discussed. Terms of reference for the 2014 project will be drafted for Committee review. With advertising to occur in April and artist selection in May, the art should be ready for installation by September.
- A design competition for the next winter street banner designs will be staged in spring 2014.

ADJOURNMENT

Moved by Michelle Kirkegaard
Seconded by Jane Wong

That Public Art Committee adjourn the January 15, 2014 Council meeting at 6:00 p.m.

CARRIED

CHAIR: Stephanie Sloan (acting)



WHISTLER

MINUTES

**REGULAR MEETING OF ADVISORY DESIGN PANEL
WEDNESDAY, JANUARY 15, 2014,
STARTING AT 1:54 P.M.**

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

Members - Present

Dennis Maguire, MAIBC
Doug Nelson, MAIBC
Tom Bunting, MAIBC, Chair
Crosland Doak, MBCSLA, Co-Chair
Pawel Gradowski, MBCSLA
Chris Wetaski, Member at Large
Eric Callender, Member at Large
John Grills, Councillor

Members - Absent

Dale Mikkelsen, UDI

Municipal Staff

Melissa Laidlaw, Senior Planner & ADP Secretary
Kay Chow, Recording Secretary

Call to Order

Tom Bunting called the meeting to order at 1:54 p.m.

2014 Panel Membership

Melissa Laidlaw advised that all 2013 panel members were re-appointed to serve on the Whistler Advisory Design Panel 2014 term.

Meeting Procedures and ADP Motions

Melissa provided an overview of meeting procedures and Panel motions.

1. Staff will introduce the project and request Panel provide specific areas of comment where required.
2. Applicant presentation.
3. Round table Panel members' questions and comments.
4. Panel comments in the category areas:
 - Site Context and Landscaping
 - Form and Character
 - Materials, Colours and Details
 - Green Building Initiatives (as applicable)
 - Universal Design (as applicable)
5. Chair gives a summary of consensus comments by category for the minutes.
6. Panel Motion and vote.

Crosland Doak entered the meeting.

Election of Chair and Co-Chair for 2014 Term

Moved by P. Gradowski
Seconded by C. Wetaski

That Advisory Design Panel elected Tom Bunting as Chair for the 2014

term.

CARRIED.

Moved by P. Gradowski
Seconded by T. Bunting

That Advisory Design Panel elected Crosland Doak as Co-Chair for the 2014 term.

CARRIED.

Adoption of Agenda

Moved by P. Gradowski
Seconded by C. Wetaski

That Advisory Design Panel adopt the Regular Advisory Design Panel agenda of January 15, 2014.

CARRIED.

Adoption of Minutes

Moved by D. Nelson
Seconded by C. Doak

That Advisory Design Panel adopt the Regular Advisory Design Panel minutes of December 18, 2013 as amended to change the words "parking garage" to "residential" on page 2 item 18 and clarification of Materials, Colours and Details item 2 on page 3.

CARRIED.

Council Briefs

Councillor Grills provided an update of the most current topics being discussed by Council. Despite challenging weather conditions Whistler was busy during the holiday period.

Dennis Maguire entered the meeting.

PRESENTATIONS

London Lane Commercial Development 2nd Review File No. DP1320

The applicant team of Bill Harrison, Forma Design Inc.; Stephen Knight, Sitings Realty; Augustine Hii and Sheldon Chandler, Chandler & Associates and Robert Brennan, Planner, RMOW entered the meeting.

Robert Brennan introduced the project. The applicant has addressed ADP November 20, 2013 workshop comments. Staff seeks Panel comments regarding the raised elevation of the site, north elevation, roof top screening, additional trees in the northwest corner and does the southwest side patio create a sense of place.

Mike Kirkegaard, Director of Planning entered the meeting.

Sheldon Chandler advised on the following.

1. No change to site access from London Lane.
2. The shape of the site is awkward.
3. Design objectives: sloping roofs, relationship to the natural surroundings for siting, shaping of the building and landscaping.

4. Proposal for a 3700 ft² building.
5. Changes from the November 20, 2013 proposal:
6. The building has been shifted south, the north setback increased by approximately 1.2 m., south setback reduced by 1.2 m.
7. Outdoor patio enlarged to the south, part of the patio is now moved over onto additional land between the property line and Valley Trail and includes the fire pit.
8. Site elevation raised by approximately 2.5 ft., this improves the relationship between the building and Valley Trail particularly at the southwest corner.
9. Increased width of pedestrian sidewalk on east side of building.
10. Covered canopy walkway over the entire length of the CRU entrances, extends south creating a gateway.
11. Pylon sign changed to a monument sign and now situated at the southwest corner, wood sign, front lit.
12. Intensified tree planting at the northwest and southwest corners.
13. Variance to the garbage enclosure would compromise circulation and loss of 1 parking space and therefore remain as previously proposed.
14. Screened safe parking lot.
15. Highway front setback increased to 4 m.
16. On all elevations - natural stone instead of cultured stone.
17. Increased dimensions of some of the main members, they are now timber size, reinforces architectural expression of the building.
18. Clerestory windows, adds more light and better articulates the building.
19. Hardiboard - board and batten siding.
20. Building colours cooled down.
21. Building signage will meet signage bylaw requirements. Wood signage, externally lit.
22. South elevation – timber elements, horizontal siding, clerestory windows, combination of wood and stone complement the design.
23. Highway orientation – increase natural expression, natural materials, roof slope.
24. North elevation – stucco replaced with siding.
25. Landscaping on west side would cover up signage, so why not the eliminate signage.
26. Timber size elements create strong statements; natural stone a vast improvement.

Bill Harrison advised on the following.

27. Entry points, locations for public art, ski racks, bike racks, bench seating, fire pit, potential for street lighting on south side.
28. Planting altered to help context; more boulders by parking and landscape area to divert snow dump and force removal from the site.
29. Planting plan: good variety, random, forest like, perennials, not contrived and manicured.
30. Echo grass, rugged, not manicured lawn.

Panel offers the following comments.

Site Context and Landscaping

1. Overall, the project is an improvement from the previous proposal.
2. Panel supports the raised elevation of the site.
3. Panel felt the landscaping is of a high quality.
4. Panel supports the extension and additions to the south area patio.
5. Panel recommended specifying some larger trees.
6. Panel recommended irrigation to get the landscape going and maintaining in the first few years.
7. A panel member recommended wildflower mixes and lots of bulbs that won't be choked out by the grasses.
8. Panel recommended more landscape screening of the north side of the site.
9. A Panel member suggested that storm water sustainability measures need to be up front and not an afterthought.
10. A Panel member suggested that a way to separate the public space from the private outdoor space is with a low stone wall.

Form and Character

1. Panel felt the canopy addition adds another level of scale and detail to the entry side of the building, a nice addition.
2. Panel felt the space on the north side of the building presents a CPTED issue and suggested additional glazing / lighting to address. Panel had some concerns respecting the back of house condition of the highly visible southwest corner of the building and recommended some flexibility in the façade and to consider back of house in the middle west side of the building.

Materials, Colours and Details

1. Panel felt the material upgrade, siding, board and batten, more timber elements and stone columns and pilasters are a good improvement.
2. Some panel members suggested a stone building base; another suggested extending the pilaster columns to the ground, creating a contrast between the vertical and horizontal.
3. Panel did not support the "Gondola" sign.
4. Panel did not strongly endorse the free standing sign in the first or the second review.
5. Panel supports the front lit wood signage.

Moved by E. Callender
Seconded by C. Doak

That the Advisory Design Panel appreciates the improvements and supports the project as presented with consideration of Panel comments. The Panel requests the applicant resolve the Panel comments with Staff. Panel does not need to see this project return for further review.

CARRIED.

**El Furniture
Warehouse
2nd Review
File No. DP1333**

The applicant team left the meeting. Robert Brennan and Mike Kirkegaard left the meeting.

The applicant team of Kyle Tweter, Raymond Kim Holdings and Bob Tetrault, Avant Contractors entered the meeting.

Melissa Laidlaw introduced the project, previously reviewed by Panel December 18, 2013. The footprint remains roughly the same, material palette has been simplified, changes to design details. Staff seeks Panel comments on the integration and detailing of this proposal.

Bob Tetrault provided a handout of material details and advised on the following.

1. Simplified seasonal winter structure.
2. Instead of glass up and down and onto stone planters, simplified with one course right across; taller than seating.
3. Basalt columns act as a barrier and provide stability for the glass panels. The basalt columns sit on a steel plate, providing a solid base.
4. Vertical posts with adjustable legs to address the varying grades / elevation of Village Stroll. Vertical post attachment to soffit, expansion for freeze / thaw.
5. Enclosure: aluminum frame, top and bottom rail, aluminum colour; basalt columns.
6. 6 ml glass inside the panels. Rails tie back to soffit.
7. Motorized screen controlled and set on a timer. Rail prevents screen from flapping in the wind. Maximum span 25 ft.; 20 ft. is the longest proposed span.

Mike Kirkegaard entered the meeting.

Panel offers the following comments.

Site Context and Landscaping

1. Panel felt this proposal was an improvement over the previous proposal with generally good materials; however, Panel is a little tentative about the simplicity and is concerned the installation may look cheap.

Form and Character

1. Panel recommended increasing the size of the columns, some Panel members suggested wood or wood capped columns.
2. Panel recommended exposing the granite columns.

Materials, Colours and Details

1. Panel had concerns that the screens may get lots of scratches as they roll and unroll.
2. A Panel member felt that if the glass was totally clear people might not see it.

3. Panel expressed concerns about clear glass on the lower part and suggested a way to resolve could be to frost the lower portion or a privacy screen.
4. Panel had mixed comments respecting adding wood to the top rail as it may impact views and visibility.
5. Panel recommended illuminating the stone columns to pull the building forward.
6. Panel recommended as few doors as necessary.
7. Panel recommended another vertical in the lower west section.
8. Panel supported the basalt, however, cautioned that it be secure.

Moved by E. Callender
Seconded by D. Nelson

That the Advisory Design Panel supports the revised enclosure system with consideration of Panel comments and does not need to see this project return for further review. Panel requests the applicant resolve the details and Panel comments with Staff and if Staff feels necessary, return to Panel for further review.

CARRIED.

The applicant team left the meeting.

ADJOURNMENT

Moved by D. Nelson

That Advisory Design Panel adjourn the January 15, 2014 committee meeting at 4:42 p.m.

CARRIED.

CHAIR: T. Bunting

SECRETARY: M. Laidlaw

MINUTES

OF THE REGULAR MEETING OF ILLEGAL SPACES TASK FORCE COMMITTEE (ISTFC)

DATE: THURSDAY, JANUARY 10, 2013 AT 1:00 P.M.

LOCATION: PICCOLO ROOM, WHISTLER MUNICIPAL HALL
4325 BLACKCOMB WAY, WHISTLER, BC V0N 1B4

IN ATTENDANCE

Members - Present

Duane Jackson, Councillor, Chair
Chris Addario, Ario Construction
Jim Charters, The Whistler Construction Co.

Members - Absent

David Girard, Peak Ventures Ltd.
Rod Nadeau, Innovation Building Group

Municipal Staff

Robert Brennan, Planner & ISTFC Secretary
Joe Mooney, Manager Building Services
Mike Kirkegaard, Manager of Planning
Rob Whitton, Fire Chief
Kay Chow, Recording Secretary

ADMINISTRATIVE ITEMS

Approval of Agenda

Councillor Jackson called the meeting order at 1:03 p.m.

Moved by Jim Charters

Seconded by Chris Addario

That the Illegal Spaces Task Force Committee approves the meeting agenda for January 10, 2013.

CARRIED.

Adoption of Minutes

Moved by Jim Charters

Seconded by Joe Mooney

That the minutes of the Illegal Spaces Task Force Committee meeting held on November 1, 2012 be adopted.

CARRIED.

AGENDA ITEMS

Building Permit Applications

Joe Mooney provided a summary of the number of building permit applications issued and in progress to January 3, 2013.

1. 7 of 31 total permits received pertain to legitimizing existing illegal space. 14 of the 32 were updating existing or open permits to include either existing or newly created excluded space. The remaining 10 permits are for new SF homes, of which 3 are for employee restricted SF houses.

2. There was a discussion regarding gross floor area (GFA) vs. excluded floor area. Example - if a house is permitted 3,500 ft² GFA and there is a basement area of 1,200 ft² of floor area that is consistent with the exclusion formula and definition, and the upper 2 floors equal 3,000 ft² GFA; is the house a 3,000 ft² or a 4,200 ft² house? The basement is excluded, so the building permit for the house would show a total of 3,000 ft² gross floor area. This affects reporting on house sizes in the RMOW. Staff provided clarification of the zoning bylaw. Going forward, if someone is interested in knowing the total floor area of a house they will need to review a building permit and add together the total GFA figure and the total excluded figure to obtain the total floor area constructed on site.
3. Building Dept. staff presented a draft spreadsheet containing data for "excluded area".
4. It was discussed that data might be extracted from Tempest and Agresso databases. The RMOW I.T. Dept. would need to review the databases and determine if software modifications are required in order to generate reports based on specified criteria.
5. Further refinement of the spreadsheet is required to provide clarity and information for a report to Council. A discussion with the I.T. department and Tempest and Agresso database managers is required to determine if information might be available without requiring software modifications. Councillor Jackson offered to work with staff in reviewing the critical information required to create meaningful reports and comparisons going forward.
6. Is the current process facilitating new builds rather than addressing existing illegal space? Staff reminded the committee that Council did approve the committee to proceed with a broader approach than just existing spaces. Therefore the current process facilitates both new builds and regularizing existing illegal spaces. Council adopted the zoning bylaw change which excluded floor area based on 2 building types (detached and duplex dwelling types).

Mike Kirkegaard entered the meeting at 1:24 p.m.

7. Are any of these permit applications a result of a potential home sale? Not as understood by staff at time of application.
8. A committee member shared realtor feedback. Some realtors seem comfortable with the traditional approach to illegal spaces; where a realtor makes a declaration to a potential purchaser that they are buying a home with illegal space and they have done their due diligence to warn the buyer. They are not encouraging the vendor to make it right for the purchaser.
9. The committee understands that it is the homeowner or potential purchasers responsibility to determine if their home contains illegal space and for them to check out their options to resolve the issues.
10. However, some realtors, when listing the disclosure of the illegal space to a buyer may advise the buyer of the RMOW process to review and resolve the illegal space and direct them to contact RMOW staff.
11. Moving forward, what other issues should the committee review?
12. The committee needs to review any issue in context to its' Council mandate to ensure it is consistent with the direction of Council. If

the Task Force wishes to address other illegal space issues, it would need further clarification and direction from Council to explore the particular issue described.

13. There are issues dealing with how to inform people of the excluded basement gross floor and how to obtain feedback from realtors and homeowners. Staff will continue to advise people to use the website and are working on a handout brochure.
14. There is a sense by committee members that homeowners with illegally developed attics and basements will not apply to legitimize the basement area until they understand how the attic or vaulted spaces will be treated.
15. How can the committee address attic and vaulted spaces?
16. The intent is to address existing illegal spaces and make them meet fire and safety regulations.
17. Are there mechanisms available to enable capture of existing spaces and protect against future developments? Can we limit the amendment to existing space?
18. A zoning bylaw amendment can be written to apply to existing spaces, new builds, or both.
19. The blanket basement GFA exclusion bylaw amendment approach was taken to address the density issue so that individual rezoning applications would not be necessary with each building permit application to regularize space.
20. Are the issues of vaulted spaces and or use of attic spaces widespread enough to justify coming up with a general regulation change or should the approach to the existing illegal vaulted spaces be done differently?
21. What are the implications of regulation changes for vaulted and attic spaces? How does it translate to building sizes, massing, and neighbourhood character?
22. Some committee members discussed the concept of Daylight planes – if a building meets setbacks, retains existing grade and complies with zoning and building codes and doesn't impact sun, shadows, scale, form and character then should it be considered? It would be a challenge to define in a residential setting.
23. The basement exclusion of floor area had the least visual impact on the form of the building as it is a floor area that is either partially below grade or underground.
24. Current zoning regulations have very limited setback requirements for the upper storeys of buildings. An owner can build a mass with a flat roof at maximum height and minimum setbacks to maximize their permitted gross floor area and excluded floor area.
25. Current zoning regulations do not include requirements for articulation of upper storeys. Without such regulations, the upper storeys have the potential to change the appearance of a house with larger massing of new builds or additions to existing homes to maximize the permitted gross floor area and excluded floor areas on a property.
26. The committee would likely need to review how height and setback requirements may need to be modified to ensure form and character of houses that are consistent with the mountain experience of the community – if lofts, attics and other illegal spaces within existing buildings are to be addressed.

27. Consultation with the public on the draft modifications would be advised prior to forwarding recommended zoning amendments to Council.
28. The intent of the Task Force was to assist in developing policies that allows for a homeowner to use existing regulations for gross floor area, excluded areas, heights and setback regulations to obtain building permits, where possible, to convert illegal spaces to legitimate spaces to meet safety and fire code requirements.

Next Steps

1. Continue to monitor permit applications.
2. Refine the proposed “excluded area” spreadsheet to provide useful data to compare over time.
3. The Task Force will seek support from Council to continue to work on the process of addressing existing illegal space, to include above ground safety issues in attic and vaulted spaces.

Next Meeting

NEW BUSINESS

1. Discuss new scope of work.
2. Discuss report to Council.
3. The next Task Force meeting is scheduled for Thursday, February 21, 2013.

ADJOURNMENT

The ISTFC meeting adjourned at 2:02 p.m.

CARRIED.

CERTIFIED CORRECT:

Councillor Duane Jackson, Chair

Robert Brennan, ISTFC Secretary

cc: File 7645.01



WHISTLER

MINUTES

REGULAR MEETING OF ILLEGAL SPACES TASK FORCE COMMITTEE (ISTFC)

WEDNESDAY, MARCH 5, 2014,
STARTING AT 1:30 P.M.

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

Members - Present

Duane Jackson, Councillor, Chair
Chris Addario, Ario Construction
David Girard, Peak Ventures Ltd.
Jim Charters, The Whistler Construction Co.
Rod Nadeau, Innovation Building Group

Municipal Staff

Robert Brennan, Planner & ISTFC Secretary
Jan Jansen, General Manager Resort Experience
Joe Mooney, Manager Building Services
Melissa Laidlaw, Senior Planner and Acting Director of Planning
Richard Diamond, Building Official III
Roman Licko, Planning Technician
Kay Chow, Recording Secretary

Adoption of Agenda

Moved by David Girard
Seconded by Jim Charters

That ISTFC adopt the Regular ISTFC agenda of March 5, 2014 as amended, to add discussion items: Task Force membership and future of the Task Force.

CARRIED.

DISCUSSION

Zoning Amendment
Bylaw (Gross Floor Area
Exclusions) No. 2044,
2014
File No. RZ1077

Robert Brennan, Planner, RMOW provided an overview of the meeting materials.

Roman Licko, Planning Technician, RMOW advised on the following.

1. Staff has made amendments to the proposed bylaw based on feedback from the February 25, 2014 meeting.
2. Proposed amendments reviewed by municipal lawyers.
3. Creation of 2 sets of rules.
4. 1 set of rules to address existing dwellings. There are no changes to these rules, same benefits apply.
5. A 2nd set of rules to address new construction; based on the bylaw reviewed with the Task Force at the February 25 meeting.
6. The 2 sets of rules approach was taken to avoid potentially excluding existing spaces and to continue to bring them into conformity.
7. Method of measuring existing ground elevations to be taken at the footprint of the each wall of the building. Previous discussion suggested measuring 3 metres out from the building; this may not

provide representative values.

8. New construction building mass, maintain neighborhood form and character by tying to existing grade.
9. 60% maximum allowable exposed wall area above finished grade.
10. For new construction the excluded space cannot be placed under fixed machinery and equipment/mechanical space. Prevents double counting these areas.
11. Clarification of the location of excluded basement floor areas under garages. When the garage forms part of the principle building, a basement floor area below the garage can be excluded.
12. Clarification of the location of floor areas below excluded basement; stacking basements not permitted in new construction.
13. A review of how the amendments will look in various Zoning Bylaw sections; Section 2 - Definitions; Section 5 – subsection 14 - Relaxation of Siting Limitations; Section 5 – subsection 25 – Excluded gross floor area calculations.
14. Review and explanation of diagrams and method of calculation for the various conditions:
 - Existing building uphill lot
 - Existing building downhill lot
 - Existing building downhill lot with garage
 - New building uphill lot
 - New building downhill lot
 - New building downhill lot with garage
15. Weighted average calculations.
16. The proposed 2nd set of rules in the amending bylaw are to address new construction.

Discussion

1. Are 2 basements permitted under the Building Code? The Building Code definition of basement is different than the Zoning Bylaw definition.
2. Discussion regarding staggered/stepped floors and how that situation would meet requirements for excluded space.

Melissa Laidlaw left the meeting at 3:00 p.m.

3. It will be difficult to achieve the 40% requirement for the exterior wall area below existing ground elevation for very steep downhill lots.
4. This could be addressed with an exemption similar to roof height exemption. Depending on the steepness and up to a certain limit, create an exemption from the 40% requirement.
5. How will the bylaw apply to larger lots, where the impacts to neighbours are less significant? The intent is to be fair and create something that works for everyone; however one bylaw cannot encompass all conditions and scenarios.
6. Why does it matter what is built inside a home as long as there are no impacts to neighbourhood form and character? Density, Safety and Enforcement issues for the RMOW.

7. The proposed bylaw amendments are moving in the right direction.
8. Staff will continue to refine the bylaw language regarding downhill lots; request legal review; circulate to Task Force pending time constraints; report to Council March 18, 2014.

Jan Jansen left the meeting at 3:28 p.m.

Task Force Membership There was no time to discuss this item.

Task Force Future There was no time to discuss this item.

ADJOURNMENT

Moved by Chris Addario

That ISTFC adjourn the March 5, 2014 committee meeting at 3:28 p.m.

CARRIED.

Chair: Councillor Duane Jackson

Secretary: Robert Brennan

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (GROSS FLOOR AREA EXCLUSIONS) NO. 2044, 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 (Gross Floor Area Exclusions) No. 2044, 2014”.
2. Zoning and Parking Bylaw No. 303, 1983 is amended in Section 2 by replacing the definition of “basement” with the following:

“basement” means the space in a building between two floor levels, the lower of which is, except for the purposes of s. 5.25 of this bylaw, situated between .6 metres and 1.5 metres below grade,

3. The bylaw is further amended in Section 5 by replacing s. 5.14.1 with the following:

In all RS, RI and RT Residential zones, in the TB1 zone, and for detached and duplex dwellings in all RTA zones, an auxiliary or attached building for carport use, or a garage including any basement upon which the garage is constructed, may be set back a minimum of 5 metres from the front parcel line.

4. The bylaw is further amended in Section 5 by deleting the text following the heading “**Gross Floor Area Exclusions**” and replacing it with the following, including the subheadings in bold underline:

“Existing Detached and Duplex Dwellings”

- 25.1 The following are excluded from gross floor area calculations for all detached dwelling and duplex dwelling buildings constructed prior to April 1, 2014:

(a) basement floor area having an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building, to a maximum of 125% of the floor area of the storey immediately above;

(b) crawl spaces;

(c) void spaces;

- (d) parking areas;
- (e) elevators;
- (f) areas occupied by fixed machinery and equipment; and
- (g) exterior wall thickness in excess of 6 inches (152 mm).

Existing Detached and Duplex Dwellings on Steep Slopes

- 25.2 For all detached dwelling and duplex dwelling buildings constructed prior to April 1, 2014 where the average level of finished ground adjoining the exterior walls of the building is less than one metre above the lowest level of the lowest floor and the lowest level of the lowest floor is two storeys below the higher of the elevation of the front parcel line determined by averaging the elevations of each end of the front parcel line at its intersection with a side parcel line and the elevation of the edge of pavement of the abutting roadway determined by averaging the elevations of each point at which the side parcel lines produced intersect with the edge of pavement, the entire floor area of the lowest floor of the building plus areas described in s. 25.1(b) to (g) are excluded from gross floor area calculations.

New Detached and Duplex Dwellings

- 25.3 Areas described in s. 25.1(b) through (g), and basement floor area that meets all of the following criteria, to a maximum of 125% of the floor area of the storey immediately above, are excluded from gross floor area calculations for detached dwelling and duplex dwelling buildings for which building permits are issued after April 1, 2014:
- (a) the elevation of the excluded basement floor must be at least 1.0 m below the average existing ground elevation of the building in which the floor area is contained, calculated in accordance with this section;
 - (b) at least 40% of the area of the exterior walls of the excluded basement floor area must be below the existing ground elevation adjoining the area;
 - (c) not more than 60% of the area of the exterior walls of the excluded basement floor area may be above the finished ground elevation adjoining the area; and
 - (d) if basement floor area is excluded from gross floor area calculations under this section 25.3, any area described in section 25.1(f) may be excluded from gross floor area calculations only if it is part of that excluded basement floor area,

and for these purposes “existing ground elevation” means

- (f) the ground elevation that existed prior to any disturbance of the site for the purpose of constructing the building containing the excluded basement floor area, and average existing ground elevation shall be calculated by:

(i) calculating the length of each exterior wall of the building at the base of the wall, as a percentage of the perimeter of the building;

(ii) calculating the average existing ground elevation for each wall by averaging the existing ground elevations measured at the ends and midpoint of the wall, or the ends and 2 equally spaced intermediate points in the case of a wall exceeding 8 metres in length;

(iii) multiplying the average existing ground elevation of each wall by that wall's percentage of the perimeter, to establish a weighted ground elevation for that wall; and

(iv) summing the weighted ground elevations of the walls; or

(g) in the case of parcels with a front lot line not more than 24 m in length, sharing a side or rear lot line with a parcel whose grade has been elevated by means of retaining walls constructed within the required building setback area of the abutting parcel for the construction of a detached dwelling or duplex dwelling building, the existing ground elevation shall be deemed to be the elevation of a plane created by connecting every point on the perimeter of the parcel, the elevation of the perimeter of the parcel at every point adjacent to which there is a retaining wall in the setback area of the abutting parcel shall be deemed to be the elevation of the top of that retaining wall, and average existing ground elevation shall be calculated on the basis of the deemed existing ground elevation in accordance with sections 25.3(f)(i) through (iv).

New Detached and Duplex Dwellings on Steep Slopes

25.4 For all detached dwelling and duplex dwelling buildings for which building permits were issued after April 1, 2014 where the existing ground elevation calculated in accordance with s. 5.25.3(f) (1) through (4) is less than one metre above the lowest level of the lowest floor and the lowest level of the lowest floor is two storeys below the higher of the elevation of the front parcel line determined by averaging the elevations of each end of the front parcel line at its intersection with a side parcel line and the elevation of the edge of pavement of the abutting roadway determined by averaging the elevations of each point at which the side parcel lines produced intersect with the edge of pavement, the entire floor area of the lowest floor of the building plus areas described in s. 25.1(b) to (e) and (g) are excluded from gross floor area calculations.

Stacking of Excluded Basement Floor Areas

25.5 Basement floor area excluded from gross floor area calculations under sections 25.3 and 25.4 must not be below another basement floor area excluded under section 25.3 or 25.4.

Other Buildings

25.6 The following are excluded from gross floor area calculations for all other buildings:

- (a) crawl spaces;
- (b) void spaces;
- (c) parking areas;
- (d) elevators;
- (e) areas occupied by fixed machinery and equipment;
- (f) exterior wall thickness in excess of 6 inches (152 mm);
- (g) garbage and recycling facilities up to 20 m² in floor area; and
- (h) bicycle storage facilities up to 8 m² per dwelling unit.”

GIVEN FIRST READING this ____ day of _____, 2014.

GIVEN SECOND READING this ____ day of _____, 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 and Infrastructure 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
(Gross Floor Area Exclusions) No. 2044,
2014.

Shannon Story
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (CC1 ZONE - CLOCKTOWER HOTEL) NO. 2045, 2014

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

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

WHEREAS the Council has waived the holding of a public hearing in relation to this Bylaw and has published the required notices of waiver of public hearing

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

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (CC1 Zone - Clocktower Hotel) No. 2045, 2014”.
2. Zoning and Parking Bylaw No. 303, 1983 is amended by deleting 1,236 and inserting 1,179 as the maximum permitted Gross Floor Area for Key K, Site Description Lot 16 , District Lots 1902 and 3020, Plan 17986 in the table in Section 8, subsection 1.2.1.

GIVEN FIRST AND SECOND READING this day of , 2014.

GIVEN THIRD READING this day of , 2014.

APPROVED by the Ministry of Transportation and Infrastructure 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
(CC1 Zone - Clocktower Hotel) No. 2045, 2014

Shannon Story,
Corporate Officer

RESORT MUNICIPALITY OF WHISTLER

FIRE PROTECTION AND FIREWORKS BYLAW NO. 2046, 2014

A BYLAW TO REGULATE FIRE PROTECTION SERVICES, FIREWORKS, AND THE SAFETY AND PROTECTION OF PERSONS AND PROPERTY

WHEREAS pursuant to Section 8 of the *Community Charter* a municipality may provide any service that the council considers necessary or desirable;

AND WHEREAS pursuant to Section 8 of the *Community Charter* a municipality may, by bylaw, regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives;

AND WHEREAS pursuant to Section 8 of the *Community Charter* a municipality may, by bylaw, regulate, prohibit and impose requirements in relation to the health, safety and protection of persons or property;

NOW THEREFORE, the Council of the Resort Municipality of Whistler, in open meeting assembled, enacts as follows:

PART 1 – CITATION

- 1.1 This Bylaw may be cited for all purposes as “Fire Protection and Fireworks Bylaw No. 2046.

PART 2 – ADOPTION AND APPLICATION OF FIRE CODE

- 2.1 The Fire Code, as amended or replaced from time to time, is adopted and made part of this Bylaw as a regulation of the Municipality.
- 2.2 Any person who contravenes, violates or fails to comply with a provision of the Fire Code commits an offence under this Bylaw.

PART 3 – INTERPRETATION

Words and Phrases

- 3.1 Unless specifically defined herein, words and phrases used in this Bylaw shall be construed in accordance with the meanings assigned to them by the *Fire Services Act*, the Building Code, the Fire Code, or the *Community Charter*, as the context and circumstances require.

References

- 3.2 Any reference to the Fire Chief shall include a reference to any person duly authorized by

the Fire Chief to exercise any of the Fire Chief's powers or to carry out any of the Fire Chief's duties under this Bylaw.

Definitions

3.3 In this Bylaw:

- (a) "Deputy Fire Chief" means the person(s) appointed as the Deputy Fire Chief for the Municipality;
- (b) "Building" means any structure used or intended for supporting or sheltering any use or occupancy;
- (c) "Building Code" means the British Columbia Building Code, as amended or replaced from time to time;
- (d) "Campfire" means an open fire that burns material in one pile not exceeding 0.5 metres in width and 0.5 metres in height, used by any person for a recreational purpose or by a First Nation for a ceremonial purpose and is separated at least 30 cm in all directions from combustible materials.
- (e) "*Community Charter*" means the British Columbia *Community Charter*, as amended or replaced from time to time;
- (f) "Dangerous Goods" means those products or substances that are regulated under the Canada *Transportation of Dangerous Goods Act* and its Regulations, as amended or replaced from time to time;
- (g) "Danger Class Website" means the website maintained by the Wildlife Management Branch of the Province of British Columbia for the purpose of providing the current Fire Danger Rating;
- (h) "Fire Chief" means the person appointed as the Fire Chief for the Municipality, acting as the head of the Fire Rescue Service, and includes the Deputy Fire Chief;
- (i) "Fire Code" means the British Columbia Fire Code Regulation made under the *Fire Services Act*, as amended or replaced from time to time;
- (j) "Fire Hazard" means any condition, arrangement or act which increases the likelihood of fire or which may provide a ready fuel supply to augment the spread or intensity of a fire, or which may obstruct, delay, hinder, or interfere with the operations of the Fire Rescue Service or the egress of occupants in the event of a fire;
- (k) "Fire Danger Rating" means the current fire danger rating for the Municipality, as issued on a daily basis by the British Columbia Wildfire Management Branch or its successor in function;

- (l) “Fire Inspector” means the Fire Chief and every Member authorized to carry out fire inspections in the Municipality;
- (m) “Fire Permit” means a current and valid document issued by the Fire Rescue Service authorizing a person to carry out the fire-related activities described in the permit;
- (n) “Fire Protection” means all aspects of fire safety, including but not limited to, fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, and fire and life safety education;
- (o) “Fire Rescue Service” means the fire rescue service established for the Municipality and continued under this Bylaw;
- (p) “Fire Rescue Service Regulations” means the Whistler Fire Rescue Service Interface Construction and Maintenance Regulations attached as Schedule “A”;
- (q) “Fire Safety Plan” means a fire safety plan for a Building required under the Fire Code and this Bylaw that includes, without limitation:
 - (i) emergency procedures to be used in case of fire;
 - (ii) training and appointment of designated supervisory staff to carry out fire safety duties;
 - (iii) documents showing the type, location and operation of fire emergency systems;
 - (iv) the holding of fire drills;
 - (v) the control of Fire Hazards; and
 - (vi) inspection and maintenance of facilities for the safety of the Building’s occupants;
- (r) “*Fire Services Act*” means the British Columbia *Fire Services Act*, as amended or replaced from time to time;
- (s) “FireSmart Structure and Site Hazard Assessment” means an analysis of the Premises wildfire ignition potential and suppression capability based on the FireSmart Homeowners Manual as produced by the Office of the Fire Commissioner of British Columbia;
- (t) “Fireworks” includes, but is not limited to: cannon crackers, fireballs, firecrackers, mines, Roman candles, sky rockets, squibs, torpedoes, and other explosive products or devices manufactured to intentionally produce an explosion, detonation or pyrotechnic effect, but does not include caps for toy products, Christmas crackers, or model rocket engines;

- (u) “Fireworks Permit” means a current and valid document issued by the Fire Chief or a Member authorizing a person to carry out the fireworks-related activities described in the permit;
- (v) “Garden Debris Fire” means a fire, not exceeding 2m in diameter and 1m in height, for the purpose of burning garden debris such as branches, leaves, grass clippings;
- (w) “High Hazard Fireworks” means those Fireworks defined as such under the Explosives Regulations made under the Canada *Explosives Act*, including, but not limited to: rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons, and firecrackers;
- (x) “Home Use Fireworks” means any fireworks that are obtainable through retail outlets located outside municipal boundaries;
- (y) “Incident” means a fire, explosion, situation where a fire or explosion is imminent, or any other situation presenting a danger or possible danger to life, or property or the environment to which the Fire Rescue Service has responded;
- (z) “Incident Commander” means the Member assuming Command at the scene of an incident, in accordance the British Columbia Emergency Response Management System;
- (aa) “Member” means a person employed by the Municipality and holding a position within the Fire Rescue Service;
- (bb) “Movie Pyrotechnics” means any Fireworks used by a person or corporation for the purpose of commercial photography, video, film or television productions, whether or not the person or corporation holds a filming permit issued by the Municipality;
- (cc) “Municipality” means the Resort Municipality of Whistler;
- (dd) “Occupant” includes any lessee, tenant and licensee of any Building or Premises;
- (ee) “Owner” means a person who has ownership or control of real or personal property, and includes, without limitation:
 - (i) the registered owner of an estate in fee simple;
 - (ii) the tenant for life under a registered life estate;
 - (iii) the registered holder of the last registered agreement for sale; and
 - (iv) in relation to common property and common facilities in a strata plan, the strata corporation;

- (ff) “Premises” includes the whole or any part of a parcel of real property and any Buildings located on the property; and
- (gg) “Vacant Premises” includes a lot, Building or other structure in respect of which water or electricity service has been intentionally discontinued, other than for temporary maintenance, repair or upgrading, so that the condition of the Premises is not suitable for human habitation or other occupancy that is normally permitted.

Conflict

- 3.4 In the event of a conflict, discrepancy, variation or inconsistency between this Bylaw and the *Fire Services Act*, the Fire Code, or the Building Code, the provisions of the *Fire Services Act*, the Fire Code or the Building Code, as the case may be, shall prevail over the provisions of this Bylaw to the extent of any conflict, discrepancy, variation or inconsistency.

Application

- 3.5 The provisions of this Bylaw apply to all Buildings, structures, premises and conditions within the Municipality and, for certainty, apply to both existing Buildings and Buildings under construction.

PART 4 – FIRE RESCUE SERVICE

Continuation

- 4.1 The Fire Rescue Service is hereby continued for the purpose of providing the services contemplated under this Bylaw.

Limits on Jurisdiction

- 4.2 The limits of the jurisdiction of the Fire Rescue Service extend to the boundaries of the Municipality, and no apparatus or equipment of the Fire Rescue Service shall be used beyond the limits of the Municipality without:
 - (a) an express written agreement providing for the supply of fire fighting and rescue services outside the boundaries of the Municipality; or
 - (b) the approval of Council.

Prevention, Control and Enforcement

- 4.3 The Fire Rescue Service may take all necessary measures for the prevention, suppression, control and extinguishment of fires, for mitigating the effects of incidents involving Dangerous Goods, and for the protection of life and property, including conducting assistant response and administering emergency medical services.

Responsibilities of Fire Chief

- 4.4 The Fire Chief shall be responsible for the management, control and supervision of the Fire Rescue Service, including the Members, all Buildings, apparatus and equipment associated with the Fire Rescue Service.

Powers of Fire Chief

- 4.5 The Fire Chief may exercise one or more of the following powers:
- (a) make and enforce rules for the proper and efficient administration and operation of the Fire Rescue Service and change, replace or withdraw those rules;
 - (b) enter on and inspect Premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from fire;
 - (c) enter those Premises at which an Incident has occurred;
 - (d) take measures considered necessary to prevent and suppress fires, including the demolition of Buildings and other structures to prevent the spreading of fires;
 - (e) require an Owner or Occupant to undertake any actions the Fire Chief considers necessary for the purpose of removing or reducing any thing or condition the Fire Chief considers is a Fire Hazard or increases the danger of fire;
 - (f) enforce the Fire Code, this Bylaw and any other bylaws, rules, orders and regulations of the Municipality for the prevention and suppression of fire and the protection of life and property; and
 - (g) without limiting paragraphs (a) to (f), exercise the powers of the Fire Commissioner under section 25(1) to (4) of the *Fire Services Act*, and for these purposes that section applies.

Incident Commander

- 4.6 The Incident Commander may:
- (a) enter those Premises at which the Incident occurred, and any neighbouring Premises, and may cause to enter any Member, apparatus or equipment deemed necessary in order to combat, control or deal with that Incident.
 - (b) cause the demolition of any Building or part of a Building which, in the opinion of the Incident Commander, must be demolished in order to prevent the spread of fire or further damage to property, injury to persons, or possible loss of life.
 - (c) commandeer any privately or publicly owned equipment considered necessary to deal with that Incident, and the Owner of the Premises at which the Incident originated shall pay all costs associated with the commandeering of such equipment.

PART 5 – GENERAL PROHIBITIONS

No Interference

- 5.1 No person shall impede or hinder in any way the execution of the duties of any Member or any other person under the direction of the Incident Commander in charge at an Incident.
- 5.2 No person shall interfere with or refuse to permit any Member to enter into or upon Premises in relation to which an alarm or other request for assistance has been received or in or upon which a Member has reasonable grounds to believe that an Incident has occurred or may occur.

No Unauthorized Entry

- 5.3 No person shall, except as authorized by the Fire Chief or the Incident Commander in charge at an Incident:
 - (a) enter any Building or Premises threatened by an Incident;
 - (b) enter within any area designated by ropes, guards or tape erected by or under the direction of a peace officer or a Member across or around any street, lane, alley or Building; or
 - (c) refuse to move from such designated area when directed to do so by a peace officer or Member.

Traffic Control

- 5.4 All persons at or near an Incident shall obey all traffic control directions given by a peace officer or Member.

False Representations

- 5.5 No person shall make false representations as to being a Member of the Fire Rescue Service, or wear or display any Fire Rescue Service badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

No Driving Over Equipment

- 5.6 No person shall drive a vehicle over any hose or other equipment of the Fire Rescue Service unless so directed by a peace officer or Incident Commander. Any person found to be in breach of this section shall, in addition to any other penalty imposed by the Municipality, be liable to pay for the costs associated with fixing or replacing such damaged equipment.

PART 6 – FIRE REGULATIONS

Open Air Burning

- 6.1 No person shall light, ignite, start or burn, or cause, suffer or allow to be lighted, ignited, started or burned, any fire in the open air or in any portable incinerator, outdoor fireplace or other portable appliance or device in the open air for any purpose, except in strict accordance with this Bylaw.

Discarding Burning Substances

- 6.2 No person shall discard, throw down or drop any lighted match, cigar, cigarette, barbecue briquette, or other burning substance into or in close proximity to any combustible material.

Barbecues

- 6.3 Notwithstanding section 6.1 of this Bylaw, a person may cook food using a charcoal, natural gas or propane gas fire contained within a barbecue or municipal park cooking stand.
- 6.4 Notwithstanding section 6.3 of this Bylaw, if at any time the Fire Danger Rating for the Municipality reaches “high” or “extreme”, no person shall use any barbecue in a municipal park other than a propane barbecue.

Campfires

- 6.5 No person shall light, ignite, start or burn, or cause, suffer or allow to be lighted, ignited, started or burned, any Campfire, or open air fire except in strict accordance with this Bylaw.

Restrictions

- 6.6 No person shall light, ignite, start or burn a Campfire without a Fire Permit except:
- (a) in a designated fire pit within a Provincial, Federal or private campsite; and
 - (b) subject to any ban on Campfires imposed in accordance with this Bylaw or a ban on burning issued by BC Forestry Service for the Coastal Fire Centre Region.
- 6.7 No person shall light, ignite, start or burn a Campfire except when the Fire Hazard Rating is LOW or MODERATE, as indicated by the Danger Class website as of 3:00 PM on that day.

Campfire Bans

- 6.8 Where the Fire Chief deems it expedient to do so, or where the Fire Chief considers hazardous fire conditions to exist, the Fire Chief may impose a total ban on Campfires in the Municipality, and no person shall light, ignite, start or burn a Campfire when such a ban is in place.
- 6.9 If at any time the Fire Danger Rating for the Municipality reaches “high” or “extreme”,

no person shall light, ignite, start or burn a Campfire until the Fire Danger Rating drops to “low”, or the Fire Danger Rating drops to “moderate” for two (2) consecutive days.

- 6.10 If at any time the Fire Danger Rating for the Municipality reaches “extreme”, the Fire Chief may close any or all parks and trail systems in the Municipality, and no person shall enter into any closed park or trail system.

Garden Debris Fires

- 6.11 No person shall light, ignite, start or burn a Garden Debris Fire, except when:
- a) the person holds a valid Fire Permit and the person complies with all the conditions of the Fire Permit;
 - b) burning occurs between May 1st and May 15th and October 15th and October 31st in any given year;
 - c) the Fire Danger Rating is LOW or MODERATE, as indicated by the by the Danger Class Website as of 3:00 PM on that day;
 - d) the person attends the fire at all times while it is burning;
 - e) no fuels are added to the fire before 08:00 or after 18:00 in any given day; and
 - f) a charged hose, long enough to encircle the fire if needed, a metal shovel and rake and any other firefighting equipment specified on the Fire Permit are available while the fire is burning.

Construction Bans

- 6.12 If at any time the Fire Danger Rating for the Municipality reaches “high” or “extreme”, no person shall carry on any construction activities in the Municipality except in strict accordance with the Fire Rescue Service Regulations.

Fire Rescue Service Open Air Burning

- 6.13 Notwithstanding section 6.1 of this Bylaw, the Fire Chief may, from time to time, authorize open air burning for the carrying out of training exercises conducted by the Fire Rescue Service or burn debris as part of an authorized wildfire fuel management project. Burning will be conducted in accordance with the Provincial Open Burning Smoke Control Regulation.

Fire Permits

- 6.14 Every person must obtain a Fire Permit, issued by the Fire Rescue Service, to do each or any of the following:
- (a) carry on a Campfire other than a Campfire in a designated fire pit within a Provincial, Federal or private campground;

- (b) carry on a Garden Debris Fire;
- (c) light, ignite, start or burn, or cause, suffer or allow to be lighted, ignited, started or burned, any fire in the open air for the purpose of:
 - (i) eliminating a Fire Hazard, such as the mountain pine beetle; or
 - (ii) carrying out any other activity deemed by the Fire Chief to be in the interest of public safety.

Fire Permit Application

- 6.15 Every application for a Fire Permit shall be made in the form prescribed by the Fire Chief from time to time.

Fire Permit Assessment

- 6.16 Prior to issuing a Fire Permit, a Member shall perform a site visit and do a FireSmart Structure and Site Hazard Assessment of the property. The results of the assessment shall be made available to the owner.

Fire Permit Issuance

- 6.17 Where an application for a Fire Permit is made under 6.15 the Fire Rescue Service may issue the Fire Permit if:
- (a) the Premises have been inspected by a Member in accordance with 6.16; and
 - (b) the proposed activity complies with this Bylaw and all other applicable Provincial and Federal enactments and bylaws of the Municipality; and
 - (c) the applicant has paid the applicable fee prescribed in Schedule “B” of this Bylaw; and
 - (d) if a property requires a re-inspection, the applicant shall pay the applicable fee prescribed in Schedule “B” of this Bylaw.
- 6.18 A Member may re-inspect the Premises in respect of which the Fire Permit is issued every four (4) years to ensure permit compliance. The applicant shall pay the applicable inspection fee prescribed in Schedule “B” of this Bylaw.

Conditions of Fire Permit

- 6.19 After a FireSmart Structure and Site Hazard Assessment of the Premises, the Fire Rescue Service may issue a Fire Permit subject to any conditions that, in the opinion of a Member, are advisable to reduce the likelihood of open air burning creating danger. These conditions, which must be implemented prior to lighting the fire for which the Fire Permit was issued, may include the provision of additional firefighting equipment, the removal of branches, trees, bushes, grasses, or other combustibles such as lumber or

firewood, and may limit the area of the Premises in which a fire is permitted.

Accumulation of Combustibles

- 6.20 No person shall accumulate or permit the accumulation of combustible materials, growth, waste or rubbish of any kind in or around Premises in such a manner as to endanger property or to constitute a Fire Hazard.
- 6.21 A Fire Inspector may issue an order to any Owner or Occupant of Premises to remove or otherwise deal with an accumulation of materials or growth on those Premises and, upon receipt of such order, that Owner or Occupant shall take whatever action is specified in the Fire Inspector's order within the time period specified therein, failing which the Fire Rescue Service may take whatever action is deemed necessary to remove the Fire Hazard at the expense of the Owner or Occupant of the Premises.

Fire Damaged Buildings

- 6.22 The Owner of any Building damaged by fire, explosion or similar event shall immediately act to ensure that the Building is guarded and that all openings and points of entry into the Building are kept securely closed and fastened in a manner acceptable to the Fire Chief so as to prevent the entry of unauthorized persons.
- 6.23 Where an Owner of any damaged Building fails to provide the necessary security, as required by section 6.22 of this Bylaw, the Fire Chief may, by notice in writing, order the Owner to secure the damaged Building in the manner set out in the notice.
- 6.24 If an Owner of any damaged Building fails to provide the necessary security within the time period specified in the notice issued under section 6.23, the Fire Rescue Service may take whatever action is deemed necessary to secure the damaged Building, at the cost and expense of the Owner.

Vacant Premises

- 6.25 The Owner of any Vacant Premises shall act promptly to ensure that, at all times:
- (a) the Premises are free from litter, debris and accumulations of combustible or flammable materials that may constitute a fire hazard; and
 - (b) all openings in any vacant Building are securely closed and fastened in a manner acceptable to the Fire Chief to prevent the entry of unauthorized persons.
- 6.26 Where an Owner of Vacant Premises fails to clear the Premises of debris and securely close and fasten all openings in a vacant Building, as required by section 6.25, the Fire Chief may, by notice in writing, order the Owner to clear the Premises and secure any vacant Building or other part of the Premises against unauthorized entry in the manner set out in the notice.
- 6.27 If an Owner of Vacant Premises fails to bring the Premises into compliance with this

Bylaw within the time period specified in the notice issued under section 6.26, the Fire Rescue Service may take whatever action is deemed necessary to clear the Premises of debris and secure any vacant Building, at the cost and expense of the Owner.

PART 7 – FIREWORKS REGULATIONS

Use of Fireworks

- 7.1 No person shall sell, give, possess, light, explode, activate or dispose of any Fireworks in the Municipality except in strict accordance with this Bylaw.

Fireworks Permit

- 7.2 Every person must obtain a Fireworks Permit issued by the Fire Rescue Service to do any of the following:
- (a) sell, give, possess, light, explode, activate or dispose of any High Hazard Fireworks; and
 - (b) sell, give, possess, light, explode, activate or dispose of any Movie Pyrotechnics.

Fireworks Permit Application

- 7.3 Every application for a Fireworks Permit shall be made in the form prescribed by the Fire Chief from time to time.

Fireworks Permit Issuance

- 7.4 Where an application for a Fireworks Permit is made to the Fire Rescue Service in the prescribed form, the Fire Rescue Service may issue the Fireworks Permit if the applicant is over the age of 18 and:
- (a) submits proof acceptable to the Fire Chief that the applicant holds a valid display supervisor endorsement, senior pyrotechnician endorsement, or special effects pyrotechnician endorsement, obtained in accordance with Part III of the Explosives Regulations made under the *Explosives Act* (Canada);
 - (b) submits a Fire Safety Plan in a form acceptable to the Fire Chief;
 - (c) submits a site plan for the location at which the applicant intends to light, explode or activate the High Hazard Fireworks and Movie Pyrotechnics, which site plan must be drawn to scale, showing the direction of firing, separation distances, positions of ramps and motors, any significant ground features, rights of way, Buildings and structures, overhead obstructions, parking areas, spectator viewing areas, fallout zones, traffic control patterns and locations of emergency vehicles;
 - (d) submits an event description, including a time schedule of the event, attendance estimates, lists of Fireworks to be used, firing procedures, emergency response

attendance, list of crew members, and clean up procedures;

- (e) submits proof of valid liability insurance by providing a copy of the applicant's insurance policy, which policy shall list the name of the insurance company, the name of the insured, the policy coverage dates, the type of coverage, the coverage amounts, and the policy number; and
- (f) has paid the applicable fee prescribed in Schedule "B" of this Bylaw.

Fireworks Permit Conditions

7.5 The Fire Rescue Service may impose terms and conditions with respect to a Fireworks Permit in relation to:

- (a) the manner in which High Hazard Fireworks and Movie Pyrotechnics may be lit, exploded or activated;
- (b) the hours during which High Hazard Fireworks and Movie Pyrotechnics may be lit, exploded or activated; and
- (c) the level of required Fire Protection to be provided at the site when;

High Hazard Fireworks and Movie Pyrotechnics are lit, exploded or activated.

Regulations

7.6 Every holder of a Fireworks Permit required under section 7.2 shall:

- (a) only sell, give, possess, light, explode, activate or dispose of those High Hazard Fireworks and Movie Pyrotechnics specified in, the Fireworks Permit and in accordance with the terms and conditions of the Fireworks Permit;
- (b) present the Fireworks Permit to any seller from whom the Fireworks Permit holder is purchasing High Hazard Fireworks or Movie Pyrotechnics;
- (c) ensure that sufficient Fire Protection is provided, at the Fireworks Permit holder's cost or expense, at any site on which High Hazard Fireworks and Movie Pyrotechnics are to be ignited, light, explode or activate in accordance with:
 - i. the Fire Safety Plan submitted in accordance with section 7.4; and,
 - ii. any terms and conditions imposed under section 7.5;
- (d) ensure that High Hazard Fireworks and Movie Pyrotechnics are lit, exploded or activated only under the direct supervision of the Fireworks Permit holder;
- (e) ensure that the site on which the High Hazard Fireworks and Movie Pyrotechnics are lit, exploded or activated is cleared of all resulting debris.

PART 8 – FIRE ALARM SYSTEMS

Activation of Fire Alarm System

8.1 No person shall activate a fire alarm system unless:

- (a) there is a fire;
- (b) the person reasonably believes that a fire or other Incident is occurring or is imminent; or
- (c) the activation is carried out for testing purposes by certified technicians, as identified in *“Inspection and Testing of Fire Protection Equipment Bylaw No.1754, 2006,”* as amended from time to time.

Designation of Contact Persons

8.2 The Owner or Occupant of any Premises with a fire alarm system or automatic sprinkler system whether or not required by the Building Code or monitored by an outside monitoring agency, shall, in the form prescribed by the Fire Chief from time to time, submit to the Fire Rescue Service on an annual basis the names and phone numbers of at least two (2) contact persons available twenty-four (24) hours per day to attend, enter and secure the Premises when notified to do so by the Fire Rescue Service.

Responsibilities of Contact Persons

8.3 Every contact person designated under section 8.2 must have full access to the Premises for which they have responsibility and must attend at the Premises within thirty (30) minutes of being notified by the Fire Rescue Service to do so, in order to take control of and secure the Premises, and release the Fire Rescue Service from the Incident on completion of its assistance response.

Failure of Contact Persons to Attend

8.4 Where a contact person designated under section 8.2 fails to attend at the Premises for which they have responsibility within thirty (30) minutes of being notified by the Fire Rescue Service to do so:

- (a) the Fire Rescue Service may use whatever means necessary to gain entry to the Premises to investigate the alarm without payment to the Owner or Occupant of any compensation whatsoever for damaged caused to the Premises by such forced entry; and
- (b) the Owner or Occupant of the Premises shall be liable to reimburse the Municipality, at the rates specified in Schedule “B”, for the cost to the Municipality for all time during which the Fire Rescue Service equipment and Members were required to remain on standby at the Premises, commencing after the thirty (30) minute time period specified in this section, until such time as a

contact person, Owner or Occupant attends at, provides access to, or secures the Premises.

Changes to Designated Contact Person

8.5 If at any time during the year:

- (a) there is a change to the name or phone number of a contact person designated under section 8.2; or
- (b) an Owner or Occupant wishes to change its designated contact person, the Owner or Occupant shall submit the new information to the Fire Chief, in the form prescribed by the Fire Chief from time to time.

PART 9 – EMERGENCY ACCESS AND EVACUATION

Fire Safety Plans

9.1 The Owner or Occupant of any Building required by the Fire Code to have a Fire Safety Plan prepared in cooperation with the Fire Rescue Service shall:

- (a) prepare the Fire Safety Plan in a form, format and diagram template acceptable to the Fire Chief and submit the Fire Safety Plan to the Fire Chief Fire Rescue Service for review no later than June 30 of the current year;
- (b) pay the fee prescribed in Schedule “B”;
- (b) review the Fire Safety Plan at least annually in accordance with the requirements of the Fire Code and, if material changes have occurred in relation to the Building, use, or occupancy, submit an updated Fire Safety Plan to the Fire Chief Fire Rescue Service for review; and
- (c) locate the Fire Safety Plan on the Premises in a location and manner acceptable to the Fire Chief to allow for reference and review by the Fire Rescue Service.

Pre-Fire Plans

9.2 The Fire Chief may require, as part of a Fire Safety Plan, a Pre-Fire Plan.

9.3 The Owner or Occupant of any Building required by the Fire Chief to have a Pre-Fire Plan shall:

- (a) prepare the Pre-Fire Plan in a form, format and with a site diagram acceptable to the Fire Chief and submit the Pre-Fire Plan, as part of the required Fire Safety Plan, to the Fire Chief for review;
- (b) pay the fee prescribed in Schedule “B” of this Bylaw for review of the Pre-Fire Plan;

- (c) review the Pre-Fire Plan at least annually and, if material changes have occurred in relation to the Building, use, or occupancy, submit an updated Pre-Fire Plan to the Fire Chief for review; and
- (d) locate the Pre-Fire Plan on the Premises in a location and manner acceptable to the Fire Chief to allow for reference and review by the Fire Rescue Service.

Failure to Prepare Plans

- 9.4 If the Owner or Occupant of any Building required by the Fire Chief to have a Fire Safety Plan or a Pre-Fire Plan fails to prepare, submit or update the required plan in accordance with this Bylaw, the Fire Rescue Service may prepare and update the required plan at the Owner or Occupant's cost and expense.

Street Addresses

- 9.5 An Owner of real property in the Municipality shall ensure that street addresses and suite numbers are displayed in accordance with the following requirements:
- (a) the civic address that the Municipality has assigned to that property must be displayed and must be legible from the street or roadway fronting the property at all times of day and night, with each address number being not less than one hundred (100) millimetres in height;
 - (b) where a property includes multiple Buildings with separate addresses assigned to each of the buildings, the Building address shall be displayed on each Building in accordance with paragraph (a);
 - (c) where more than one property is accessed by a common driveway, the civic address for each property shall be displayed at the entry to the driveway in accordance with paragraph (a);
 - (d) where a Building is set back from the street or roadway fronting the property such that the assigned civic address is not clearly identifiable due to the distance from the street or roadway, or where landscaping or architectural appendages or other obstructions obstruct the visibility, the assigned civic address shall be displayed at the driveway entrance from the street or road serving the building as well as on the Building itself;
 - (e) where a Building includes multiple individual units with separate suite numbers assigned to each unit, the suite number for each unit shall be displayed in a visible location at the entry to the unit, with each suite number being not less than one hundred (100) millimetres in height; and
 - (f) all letters and numbers must be of a colour which contrasts with the background colour of the Building or other surface on which they are mounted.
- 9.6 The Owners or Occupants of property located in a multi-residential complex shall ensure

that a site plan for the complex is posted at the main driveway entrance to the complex, which site plan shall:

- (a) be visible at all times of day and night upon entry to the complex;
- (b) indicate the location, address or number of each unit in the complex, and the points of access to each unit; and
- (c) be of a size that enables first responders to easily read and determine the location and address of each unit without having to exit the emergency response vehicle.

PART 10 – FIRE PROTECTION EQUIPMENT

Connections for Building Sprinkler and Standpipe Systems

- 10.1 Every Owner or Occupant of a Building shall ensure that access to Fire Rescue Service connections for sprinkler and standpipe systems are clearly identified, functional, kept in good repair and maintained clear and free from obstructions at all times.

Fire Hydrants on Private Property

- 10.2 Every Owner or Occupant of Premises on which a fire hydrant is located shall:
- (a) maintain the space around the hydrant with stable ground cover and a clear and unobstructed area for a radius of at least one (1) metre;
 - (b) maintain ground cover and clearance around the hydrant so as to provide a clear view of the hydrant from the street when being approached from either direction;
 - (c) ensure the hydrant is maintained in good working condition at all times and that the hydrant is inspected, serviced and tested at least yearly in accordance with the requirements of the Fire Code;
 - (d) at least yearly, have the hydrant flushed and drained; and
 - (e) provide the Fire Chief with a written report of the inspection, servicing and testing performed on the hydrant during the previous twelve (12) months.
- 10.3 If an Owner or Occupant fails to properly maintain the ground cover and clearance around a fire hydrant as required by Section 10.2, the Fire Chief may issue an order to the Owner or Occupant to provide stable ground cover and clearance around the hydrant within the time period specified in the order.
- 10.4 If an Owner or Occupant fails to comply with an order issued under Section 10.3 within the time specified in the order, the Fire Rescue Service may enter onto the Premises and carry out such work at the cost of the Owner.

Use of Fire Hydrants

- 10.5 No person shall use or take water from any fire hydrant in the Municipality or make any attachment thereto without first obtaining written permission from the General Manager of Environmental Services.
- 10.6 No person shall tamper with any mechanical operation of a fire hydrant in the Municipality.
- 10.7 No person shall mechanically open any fire hydrant in the Municipality unless authorized to do so by the General Manager of Infrastructure Services.

PART 11 – INSPECTION OF PREMISES

Authority for Inspection

- 11.1 Any Member is hereby authorized to enter at all reasonable times upon any Premises to inspect and determine whether or not:
 - (a) the Premises are in such a state of disrepair that a fire starting therein might spread so rapidly as to endanger life or other Premises or property;
 - (b) the Premises are so used or occupied that fire would endanger life or property;
 - (c) combustible or explosive materials are being kept on the Premises or other flammable conditions exist in or about the Premises so as to endanger life or property;
 - (d) in the opinion of the a Member, a Fire Hazard exists in or about the Premises; or
 - (e) the requirements of this Bylaw and the Fire Code are being complied with.

Entry for Inspection

- 11.2 No person shall obstruct, hinder or prevent the Fire Chief or any Member from entering into or upon any Premises for the purpose of inspecting the Premises in the ordinary course of their duties.

Provision of Information

- 11.3 Every Owner or Occupant of Premises shall provide all information and shall render all assistance required by the Fire Chief or any Member in connection with the inspection of Premises pursuant to this Bylaw.

False Information

- 11.4 No person shall purposely withhold or falsify any information required by the Fire Chief or any Member, nor refuse to assist in the carrying out of any inspection of Premises pursuant to this Bylaw, the Fire Code or the *Fire Services Act*.

PART 12 – ENFORCEMENT

Fire Orders

- 12.1 In addition to authority provided for orders by the Fire Chief or a Fire Inspector elsewhere in this Bylaw, if a person contravenes or fails to comply fully with any provision of this Bylaw, or if conditions exist in or upon any Premises which, in the opinion of the Fire Chief or a Fire Inspector, constitute a Fire Hazard or other danger to life or property, the Fire Chief or a Fire Inspector may, in writing, issue an order to that person as necessary to ensure full and proper compliance with this Bylaw or to remove or otherwise deal with the Fire Hazard or other danger, and every person who receives an order under this section shall carry out that order by the date required.

Serving of Fire Orders

- 12.2 An order made by the Fire Chief or a Fire Inspector under this Bylaw may be served:
- (a) by delivering it or causing it to be delivered to the person to whom it is directed;
 - (b) by sending the order by mail to the last known property Owner of the Premises that are the subject of the order; or
 - (c) if the person to whom it is directed cannot be found, is not known or refuses to accept service of the order, by posting a copy of the order in a conspicuous place on the Premises that are the subject of the order.
- 12.3 If an order has been posted in accordance with Section 12.2 of this Bylaw, a person must not remove, deface or destroy the order.

Dating of Fire Orders

- 12.4 Every order issued by the Fire Chief or a Fire Inspector shall state a date by which the order shall be carried out, which date shall be determined in the discretion of the issuer, having regard to the degree of urgency involved in correcting or removing conditions which may tend to increase the hazard of fire or danger to life and property.

Inspection Upon Completed Remediation

- 12.5 Upon completion of all work required in an order made pursuant to this Bylaw, the person to whom the order was directed shall notify the Fire Chief of such completion and the Fire Chief or a Fire Inspector shall attend at the Premises to inspect the work.
- 12.6 If the Fire Chief or a Fire Inspector attends at the Premises in accordance with section 12.5 and discovers that the work is incomplete or not compliant with this Bylaw or the Fire Code, the person to whom the initial order was directed shall complete or correct the work in the time specified by the Fire Chief or the Fire Inspector, and the Fire Chief or a Fire Inspector shall attend at the Premises to re-inspect the work. If the work is still incomplete or not compliant with this Bylaw or the Fire Code, and the Fire Chief or Fire

Inspector must attend at the Premises to re-inspect the work a second time, the person to whom the initial order was directed shall pay the re-inspection fee prescribed in Schedule “B”.

Municipal Action at Owner’s Expense

- 12.7 Where a person has received an order made pursuant to the provisions of this Bylaw, has been given an opportunity to make representation to the Fire Chief in respect of the matter and has failed to comply with an order by the date specified in the order, the Municipality may, by its employees, servants or agents, enter the Premises and effect such work as is required in the notice at the cost and expense of the Owner or Occupant of the Premises, payable upon receipt of an invoice from the Municipality.

Penalties

- 12.8 A person who:

- (a) contravenes, violates or fails to comply with any provision of this Bylaw, any Fire Permit or Fireworks Permit, or any order issued under this Bylaw;
- (b) suffers or allows any act or thing to be done in contravention or violation of this Bylaw, any Fire Permit or Fireworks Permit, or any order issued under this Bylaw; or
- (c) fails or neglects to do anything required to be done under this Bylaw, any Fire Permit or Fireworks Permit, or any order issued under this Bylaw;

commits an offence and, upon conviction, shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

Enforcement by Municipal Ticket

- 12.9 This bylaw may be enforced by means of a ticket issued under the “*Municipality’s Ticket Information Utilization Bylaw No. 822, 1990,*” as amended from time to time.

PART 13 – FEES AND COST RECOVERY

Permit and Service Fees

- 13.1 Every person who applies for any of the following services of the Fire Rescue Service must pay the applicable fee set out in Schedule “B” of this Bylaw:
- (a) a Fire Permit required under Section 6.14;
 - (b) a Fireworks Permit required under Section 7.2;
 - (c) review of a new Fire Safety Plan under Section 9.1;

- (d) review of an existing or amended Fire Safety Plan under Section 9.1;
- (e) review of a new Pre-Fire Plan under Section 9.2; and
- (f) review of an existing or amended Pre-Fire Plan under Section 9.2.

Inspection and Search Fees

- 13.2 Every person who obtains any of the following inspections or searches by the Fire Rescue Service must pay the applicable fee prescribed in Schedule “B” of this Bylaw:
- (a) a special request inspection of a Building, structure or site to determine compliance with this Bylaw or the Fire Code;
 - (b) a file search on occupancies of a Premises for outstanding Fire Code violations, infractions or other related information.

No Relief from Other Fees

- 13.3 Payment of any fees specified in Section 13.1 or 13.2 of this Bylaw does not relieve a person from the requirement to pay any other fee prescribed under the Fire Code, the Building Code, the *Fire Services Act*, another bylaw of the Municipality, or any other applicable legislation.

Nuisance and Dangerous Goods Incidents

- 13.4 Every person who, wilfully or recklessly and without reasonable cause:
- (a) sets a fire to which the Fire Rescue Service must respond;
 - (b) causes a fire or loss that can be directly attributed to the use of Fireworks contrary to this Bylaw; or
 - (c) carries on open air burning without or contrary to a Fire Permit,
- shall be deemed to have caused a nuisance and, in addition to any penalty imposed under this Bylaw or otherwise by law, shall be liable to pay the actual costs and expenses incurred by the Fire Rescue Service in abating that nuisance by responding to and investigating the fire or loss.
- 13.5 Every Owner, carrier, agency, organization or other person having responsibility for the transport, storage or use of Dangerous Goods, shall be responsible, at that person’s own cost and expense, for the clean up and safe disposal of all such Dangerous Goods arising from any Incident, and a person who fails to do so shall be liable to pay:
- (a) the actual costs and expenses incurred by the Fire Rescue Service, the Municipality or its contractors and agents for the clean up, safe transport and disposal of the Dangerous Goods; and

- (b) the costs incurred by the Fire Rescue Service in mitigating the Dangerous Goods Incident, including without limitation equipment repair and replacement, and decontamination costs.

General Fee Regulations

- 13.6 Where more than one person is liable to pay a fee or pay for the actual costs and expenses incurred by the Fire Rescue Service, the fee or the costs and expenses may be imposed among the persons involved on a pro rata basis.
- 13.7 Where under this Bylaw the Municipality is authorized or required to provide work or services to lands or improvements, and the costs incurred by the Municipality in carrying out such work or services are not paid when due and payable, the Municipality may recover those costs from the Owner of the land or improvements in the same manner and with the same remedies as ordinary taxes and, if the costs remain unpaid on December 31 of the year in which they were incurred, they shall be deemed to be taxes in arrears.

PART 14 – SEVERABILITY

- 14.1 If any part, section, subsection or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw will be deemed to be enacted without the invalid portion.

PART 15 – REPEAL OF PREVIOUS BYLAWS

- 15.1 The following bylaws of the Municipality are hereby repealed:

- (a) Fire Protection and Fireworks Bylaw No. 1595, 2010.

READ A FIRST TIME this ____ day of _____, ____.

READ A SECOND TIME this ____ day of _____, ____.

READ A THIRD TIME this ____ day of _____, ____.

ADOPTED this ____ day of _____, ____.

Nancy Wilhelm-Morden,
Mayor

Shannon Story,
Corporate Officer

I HEREBY CERTIFY that this is a true
copy of Fire Protection and Fireworks
Bylaw No. 2046, 2014.

Corporate Officer: S. Story

SCHEDULE “A”

WHISTLER FIRE RESCUE SERVICE**INTERFACE CONSTRUCTION AND MAINTENANCE REGULATIONS****FOR OPERATIONS DURING “HIGH” AND “EXTREME” FIRE DANGER CLASS RATINGS**

At times, the Resort Municipality of Whistler can experience “high” and “extreme” forest fire danger class ratings. This creates a situation where construction in a wildland/urban interface or intermix zone can be a source of ignition resulting in a wildfire. Past years have shown that the fire behaviour exhibited by wildfires can be both extreme and, at times, impossible to control. While the Resort Municipality recognizes that this regulation may create some hardship on various construction projects, the loss of property and forest land resulting from a wildfire would be disastrous for the community and the economy.

The interface and intermix areas under this regulation are those areas where developments and maintenance activities are taking place next to or among forested areas. This includes new developments in forested areas, infill developments where the lot is fully treed, or trail work. If you question whether a project is subject to these regulations, please call the Fire Rescue Service, (604) 935-8260.

The Whistler Fire Rescue Service used the Wildfire Regulations (and Wildfire Management Branch Interpretive Bulletin June/2011) as a guideline in developing these regulations. It should be noted that these regulations apply to forested areas and are not totally suitable to an interface construction environment where the risks may be greater and the result more devastating. Therefore, all construction activity within interface and intermix areas has been classified as a “High Risk Activity” as per the Wildfire Regulations.

Goal of the regulations:

The goal of these regulations is to ensure that any sources of ignition are eliminated or mitigated during times of “high” and “extreme” ratings.

Regulations:

Work associated with construction and land clearing, land preparation and utility servicing within shall be regulated as follows:

When the Fire Danger Rating is “High”:

1. A fire watch shall be maintained for a minimum of **two** hours after construction ceases. The fire watch may be discontinued if the fire danger class falls below “moderate”.
2. After **three consecutive days of the Fire Danger Rating being “high”**, high-risk

construction activity in the interface area (within 10 metres of the forest) shall cease at 1300 hours each day. Examples of high risk activity are blasting, excavating, drilling, grinding, and other hot works. **The two-hour fire watch is still required.** Construction within the interface and intermix area may resume to a regular schedule after the fire danger class falls to “moderate” for a period of two consecutive days or until the fire danger class falls below “moderate”.

3. The following activities may continue after 1300 hours during a “high” fire danger rating:
 - (d) Work inside a structure (excluding hot works)
 - (e) Use of electrically powered equipment
 - (f) Work with hand tools
 - (g) Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 metres of the forest.
4. Sufficient fire equipment is required to be on site and may consist of:
 - (a) 2 – Shovels
 - (b) 2 – Pulaski tools
 - (c) 2 – Hand backpack pumps with a minimum of 5 gallons of water per backpack.
5. A fire pump and hose capable of reaching any areas where heavy equipment is working, or hose connected to a hydrant or other water source capable of reaching any areas where heavy equipment is working is required. A permit to use Municipal hydrants must be obtained from the Utilities Department (604) 935-8300.
6. The amount of equipment and pumps shall be subject to the approval of the Fire Chief or designate.
7. Smoking is to be restricted to a designated fire safe area on the site.
8. All sites must have a means of **communicating** an emergency situation. This could be by means of a cell phone or radio to a central office where an emergency call could be placed.

When the Fire Danger Rating is “Extreme”:

In addition to those items stated in “high” fire danger rating, the following shall apply:

1. After **three** consecutive days of the fire danger rating being “extreme”, all high-risk construction activity in the interface and intermix areas (within 10 meters of the forest) shall cease. All other work, as described below, shall maintain a **minimum two-hour fire watch** at the end of the construction day. Regular construction may resume based on the regulations for fire danger rating “high” when the fire danger rating falls below “extreme” for three or more consecutive days.
2. The following activities may continue during an “extreme” fire danger rating:
 - a) Work inside a structure (excluding hot works)

- b) Use of electrically powered equipment
 - c) Work with hand tools
 - d) Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 meters of the forest.
3. Please remember that a **minimum of two hours fire watch** must be maintained when the specified work activities have ended for the day.

SCHEDULE “B”

FEES AND COST RECOVERY

FIRE RESCUE SERVICES WORK OR SERVICE	SECTION	FEE
Fixing, replacing damaged equipment	5.6	actual costs
Fire Permit Application/Inspection	6.15	\$20.00
Fire Permit Re-Inspection	6.15	\$10.00
Fire Permit 4-Year Renewal/Inspection	6.15	\$10.00
Annual Fire Permit renewal	6.15	\$10.00/year
Removal of Fire Hazard	6.17	actual costs
Securing damaged Buildings	6.20	actual costs
Securing vacant Premises	6.23	actual costs
Fireworks Permit application	7.3	\$100.00
Attendance – standby service	8.4	\$400.00/Hr
Review – Fire Safety Plan	9.1	\$150.00/Hr
Review – Fire Safety Plan revisions, each occurrence	9.1	\$150.00/Hr
Review – Pre-Fire Plan	9.3	\$150.00/Hr
Preparation of Fire Safety Plan	9.4	actual costs
Stabilizing and clearing area around hydrant	10.4	actual costs
Re-inspection or follow-up to an order	12.6	\$150.00/Insp.

Remediation of Fire Hazard	12.7	actual costs
Special request fire inspection	13.2(a)	\$150.00
File search	13.2(b)	\$100.00
Nuisance investigation, response and abatement	13.4	actual costs
Mitigation, clean-up, transport, disposal of Dangerous Goods	13.5	actual costs

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 18th day of March, 2014.

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

GIVEN THIRD READING this 18th 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

March 10, 2014

Dear Mayor Wilhelm-Morden and Council,

As we hope you are aware, the Restaurant Association of Whistler represents the largest active committee of Whistler restaurants, and one of the largest revenue drivers of the Resort Municipality of Whistler as per the EPI report. We represent the businesses that employ the largest percentage of Whistler employees, larger than any other industry. A healthy Food and Beverage industry means a healthier Whistler.

It was with some surprise that we were made aware of comments from municipal staff and Councillor Janyk regarding the provincial liquor policy recommendations in the February 20th issue of the Pique newsmagazine (Council against food-primary changes).

We, as an established and reputable association, have managed to build open lines of communication between ourselves, the RMOW, the Whistler Chamber of Commerce, Tourism Whistler, the RCMP, the Liquor Control and Licensing Branch, and many other governing bodies and business groups alike. Surprisingly, we had not been consulted, nor informed of the municipality's concerns and intention to actively lobby against some of the long-awaited recommendations in the BC Provincial review of our Liquor Licence policies. We would appreciate future pro-active dialogue in all relative considerations and shaping of the Whistler resort guest experience and business landscape before any municipal positions are made public

The Liquor Policy Review conducted by the provincial government was the largest public consultation that has ever taken place in the history of the province. It was done with active outreach to not only industry stakeholders, but public health and community safety advocacy groups. It was an open forum that netted 188 stakeholder submissions, 4,364 website comments, 3,587 emails, and 41,195 ratings. Included in this review process was a working group of industry stakeholders here in Whistler in which many concerns took part. To have comments quoted by our public office saying that the province doesn't understand guest experience needs are concerning to our association. There has been extensive local, tourist, stakeholder and other comments reviewed in this process that reflects and supports a variety of the public's interests.

As a municipality it is vital to continue to attract business to the corridor by presenting an evolving, healthy and attractive business landscape. This is only possible by engaging the business community - those that have invested their hearts, souls and wallets into the resort - in important policy decisions such as the ones commented on in the aforementioned article. This is especially true if the same business community was consulted to create the provincial recommendations.

Recommendation 37 (Food Primary transitioning to Liquor Primary) in the BC Liquor Policy Review Final Report should not be read just as the ability for a restaurant to be able to transition to a nightclub, but instead into a Liquor Primary-style license. What the possibilities for this style of license could Whistler hold?

This would open up all sorts of unique guest experiences in Whistler, not the least of which would be the ability for a restaurant to host a wedding, complete with a band and dancing after the pre-ordained hour. This is something civilized and logical that food primary licenses cannot currently do, and have strived to do for a long time. Think of the overall business that the entire resort would benefit from if we became a larger destination market capable of hosting many more weddings than we currently do. Room nights, F&B, numerous activities, and yes, taxes, will benefit from such an increase. Wedding clientele is a target audience.

What other options could be available under this new policy recommendation? What about a dinner club that transitions to an upscale jazz bar, a martini lounge or a wine bar? These are just a few of many new concepts here to explore that are evolving in all parts of the world. The days of the guest wanting only a nightclub experience are long gone.

Reactive decision making to the new possibilities available in this new era should not be allowed. The municipality should start thinking of what possible future guest-experiences could exist in Whistler that would not normally exist in our past-regulated era. Contrary to what might be whispered, the sky is not falling, but rather doors of opportunity are opening that can, and will shape our future of how our guests will remember Whistler. That being an innovative, unique, advanced, worldly and most of all, exceptionally entertaining and engaging resort.

Recommendation 16 (Time-limited specials or happy hours) should not be viewed as if there will be extensive discounting of liquor in the village. Happy hours are a common occurrence in all US markets. In the same paper, it is clear that discounting, or better put, consumer value offerings are already happening. The local paper shows that one can get 3 drinks for \$15 at one establishment and \$4.25 beer all day everyday at another.

Currently under the old LCB rules, if an establishment wants to offer a special price, that price must remain the same from open of business day to end. What the happy hour provision would allow is to cap that discount to only a couple or few hours, the discount no longer has to extend all day. As business operators, we welcome this provision as we can customize our specials to slower times of day, and possibly encourage a little business into our shoulder times where it's needed, without offering discounted liquor all day. This may also lessen the crunch times between 6pm and 9pm and actually allow more overall guests to fit into our establishments per day.

As we move forward, every implementation of these new regulations needs to be looked at through a fresh lens, not the old, scratched and foggy lens that we have grown to accept as normal. The old rule book was sent to review by the province because it was viewed as being antiquated. Applications and endorsement to ensure our overall brand as a great resort may still need to be considered, and reviews will need case by case study. The point of the provincial review was to move into more current times and give the people of this province, and our visitors more of what is available on the global scale. There should not be any blanket policies governing the opportunities of businesses and license holders in Whistler that the rest of the province is not subject to, lest we find ourselves falling behind a competitive market. This is truly a fresh opportunity to shine as a resort.

Your Worship, you said in the same article that "...it's terrific that we did take the initiative with our partners in the corridor and that we've seen some great results." Let's continue to take the initiative together as partners by maintaining the open lines of communication and consultation with our group and the RMOW.

Respectfully yours,

Brenton Smith
General Manager, O&R Entertainment
co-President Whistler Restaurant Association

Kevin Wallace
General Manager, Earl's Whistler
Director Whistler Restaurant Association

March 21, 2014

Mayor and Members of Council
Resort Municipality of Whistler

VALLEY TRAIL LEFT IN APALLING CONDITION FOR THE START OF MARCH BREAK - WHO MAKES GROOMING DECISIONS?

The Valley Trail between Meadow Park and Rainbow Park is groomed over the winter months and is enjoyed by residents, second home owners and visitors walking, snowshoeing and cross-country skiing. Due to the lack of snow this year, conditions on the Valley Trail weren't good for cross-country until the second week of February. Since then, although it has been a challenge for the twice weekly grooming to keep up with all the new snow, the trail has been in great shape and many people have been taking advantage of it.

So why was the groomer instructed to remove 0.5 - 1 m of snow from the trail on Saturday March 15th, at the beginning of BC's two weeks of March Breaks and just 5 weeks after the trail became useable? I understand the pushing of snow off to the side is usually done in the spring to assist with the melting process, but why start this at the beginning of March break? The trail has been left in horrible condition, uneven and without a track- set and is now starting to melt through as shown in this picture. The groomer hasn't been back since Saturday. The uneven surface is difficult for both skiers and walkers.



The snow banks in this photo are from the snow removed from the trail on March 15



The trail has been scraped almost to the surface with 2 weeks left of March break!

On the one hand we are spending money on village animation to make the resort more attractive to families, on the other we are wasting grooming resources to ruin a great free recreational resource that is thoroughly enjoyed by many. The groomed Valley Trail is an important affordable winter recreation asset. It is the only groomed trail where you can cross country ski with a dog with the exception of the Pooch loop in the Callaghan. From a sustainability standpoint, driving to the Callaghan to exercise your dog on a regular basis makes no sense as it uses time, money and gas, all scarce resources.

Let's adopt a grooming schedule that responds to snow conditions to provide a good product for as long as the snow holds. Some years this could be from December to mid-April, in other years, we might only get a couple of months. To start removing snow when the conditions are good at the beginning of a long school holiday makes no sense at all. As you work on the 2014 budget, I suggest you allocate sufficient resources to do this and direct staff not to prematurely scrape down the snow surface.

Whistler is a ski resort, let us ski when conditions are good.

Best regards

Jill Almond
8724 Idylwood Place
P.O. Box 1451, Whistler, BC V0N 1B0



CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

2014 March 14

FILE: 22000-01

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

To Mayor and Council:

Subject: Fire Department Response to Medical Emergencies
(Item No. 03, Manager's Reports, Council 2014 March 10)

Burnaby City Council, at the "Open" Council meeting held 2014 March 10, received a report outlining the results of a review conducted by the Burnaby Fire Department on the impact of changes to the Resource Allocation Plan (RAP) on emergency pre-hospital care services. Council adopted the following recommendations contained in the report:

1. "THAT Council endorse the action plan outlined in Section 3 of this report.
2. THAT the Board Chair of BCEHS be invited to a meeting with Council.
3. THAT a copy of this report be sent to:
 - a) Board Chairperson of BC Emergency Health Services (BCEHS), PO Box 9600, Stn Prov Govt, Victoria, BC V8W 9P1.
 - b) President of Greater Vancouver Fire Chiefs Association c/o North Vancouver City Fire and Rescue, 165 East 13th Street, North Vancouver, BC V7L 2L3.
 - c) Chairperson of Ambulance Paramedics of BC – CUPE Local 873.
 - d) President, Burnaby Firefighters Association, Local 323.
 - e) UBCM municipalities."

In accordance with recommendation 3(e), a copy of the report is enclosed for your information.

Very truly yours,

Derek R. Corrigan
MAYOR

TO: CITY MANAGER**DATE:** 2014 February 24**FROM:** FIRE CHIEF**SUBJECT: FIRE DEPARTMENT RESPONSE TO MEDICAL EMERGENCIES**

PURPOSE: To inform Council of the results of a review conducted by Burnaby Fire Department on the impact of changes to the Resource Allocation Plan (RAP) on emergency pre-hospital care services and to present a possible course of action for Council consideration.

RECOMMENDATION:

1. **THAT** Council endorse the action plan outlined in Section 3 of this report.
2. **THAT** The Board Chair of BCEHS be invited to a meeting with Council.
3. **THAT** A copy of this report be sent to:
 - a) Board Chairperson of BC Emergency Health Services (BCEHS), PO Box 9600, Stn Prov Govt, Victoria, BC V8W 9P1,
 - b) President of Greater Vancouver Fire Chiefs Association c/o North Vancouver City Fire and Rescue, 165 East 13th Street, North Vancouver, BC V7L 2L3.
 - c) Chairperson of Ambulance Paramedics of BC – CUPE Local 873
 - d) President, Burnaby Firefighters Association, Local 323
 - e) UBCM municipalities.

REPORT**1.0 BACKGROUND**

In October 2013 the BC Emergency Health Services totally without any consultation with impacted agencies and the public, amended the Resource Allocation Plan (RAP) used by the BC Ambulance Service (BCAS). These amendments mandated a reduction in response level for the BCAS from “Code 3” to “Code 2” for seventy four event types. The changes are listed in Attachment A for reference. To date, the RAP changes apply to ambulance responses only and those affecting the first responders (Fire services) have not been implemented. As a result of these reduced response levels, the Fire Chief’s Association of BC (FCABC), the Greater

To: City Manager
From: Fire Chief
Re: Fire Department Response to Medical Emergencies
2014 February 24..... Page 2

Vancouver Fire Chief's Association (GVFCA) and staff have expressed concerns of the negative service impact to the general public and the local Fire Department's resources.

In early 2014, staff received a copy of the letter (Attachment B) prepared by BCEHS providing the rationale for the RAP changes and offering an opportunity to municipalities to discuss further RAP changes. The purpose of this report is to provide an update to Council on the result of a review of Burnaby Fire Department's experience in responding to medical emergencies since the implementation of the revised RAP and to recommend a course of action for Council consideration.

2.0 STAFF REVIEW

In order to assess the impact of the RAP changes on pre-hospital medical emergency service levels, staff have conducted a review of the response data for the 3 1/2 month periods before and after the RAP changes occurred on 2014 October 29. Results of the review are summarized in Table 1 below.

	Number of medical emergency calls received by BFD	BCAS arrival after BFD (average)	BFD waiting for BCAS > 30 min.	BFD waiting for BCAS > 60 min.
August 1, 2013 – October 28, 2013 (89 days)	2,279	6:38 minutes	20	0
October 29, 2013 – January 31, /2014 (95 days)	2,424	9:21 minutes	44	6

Table 1. Emergency Medical Response Review

Although the RAP changes have been implemented for only 4 months and the response data for the amended services collected is of a limited duration, a general conclusion can be drawn that there was a corresponding increase in waiting time since the implementation of RAP changes for the Fire Department first responders to remain on scene awaiting the arrival of the paramedic. Experiences from other Lower Mainland municipalities have also confirmed significant additional delayed response by BCAS since the implementation of the new RAP.

Contrary to the statement in the letter dated 2014 January 3 from BCEHS indicating that most fire departments in BC have decided to match BCAS's new response mode, the BC Fire Chiefs Association has polled its membership regarding fire department response to medical emergencies following the amendments to the RAP for BCAS response. According to the BCFCFA's survey, 78% of the reporting cities indicated they have not changed their level of response for incident types that were previously identified as "Code 3". In addition, almost half (48%) of the reporting cities advise they are experiencing increased 'wait times' for ambulance arrival.

To: City Manager
From: Fire Chief
Re: Fire Department Response to Medical Emergencies
2014 February 24..... Page 3

3.0 RECOMMENDED COURSE OF ACTION

According to information released by BCEHA, the RAP changes will reduce motor vehicle incidents caused by code 3 response and therefore will improve public safety. However, it should be noted that based on data from Burnaby Fire Department, there is no evidence to support that code 3 emergency response to medical incidents has resulted in more motor vehicle incidents. For the past two years, BFD encountered only three minor low speed (less than 5 kph) fire vehicle incidents that involved minor scraping to a lamp standard and two parked vehicles in a narrow corridor.

As shown in Table 1, it is evident that the waiting time for BCAS service in Burnaby has increased since the implementation of new RAP. Although the full impact of the new RAP on patient care and recovery is not known at this time, it has an immediate negative effect on pre-hospital care services and the fact that public can no longer rely on timely emergency medical service from BCAS as was before the RAP changes.

The BC Health Emergency Act allows emergency medical assistants to provide medical care to patients based on six levels of certification. Most Fire Departments including Burnaby train their personnel as Emergency Medical Assistant – First Responder (EMA-FR), which is the first of the six levels. As such, they are limited to basic medical protocols including assessment of level of consciousness, pulse and respiration; rapid body survey to check for life threatening injuries; secondary assessment consisting of vital signs, physical examination and medical history; cardiopulmonary resuscitation; wound and fracture management; and maintenance of the patient's airway and ventilation where necessary.

A few Fire Departments have trained or are in the process of training their personnel as Emergency Medical Responders (EMR) which is the second level of certification which allows the provision of additional services such as lifting/loading, extrication/evacuation and patient transportation; cervical collar application; blood pressure assessment; oxygen administration; and use of automatic external defibrillators (AEDs). Burnaby Fire personnel are trained in the use of AEDs when dealing with cardiac emergencies and the removal of victims trapped in car accidents by using auto extrication equipment. Although the EMR certification would allow Burnaby firefighters to provide a higher level of emergency pre-hospital care service, it would download some of the BCAS' responsibilities to the Burnaby Fire Department and add approximately \$210,000 to the City budget for training half of the department personnel and an additional \$50,000 per year to maintain the EMR training.

With the reduced level of ambulance service and the post implementation impact, it is recommended that the City take the following positions and actions:

- a) Council reaffirms its position that timely and efficient pre-hospital care services provided by BCAS are integral to the province's overall emergency health service.
- b) Council acknowledge that staff intend to retain the existing BFD emergency medical response protocol and not downgrade the response mode to match the new RAP.

To: City Manager
From: Fire Chief
Re: Fire Department Response to Medical Emergencies
2014 February 24..... Page 4

- c) BCEHS be requested to undertake a full review of post implementation of the new RAP with respect to emergency pre-hospital care, patient waiting time and concerns, and event types, and make necessary adjustment to correct service deficiencies.
- d) BCEHS be requested to conduct meaningful consultation with municipal councils, BCFA, GVFA and first responders on emergency pre-hospital service level prior to considering further changes to RAP.
- e) The Chairperson of BCEHS be invited to meet with Council to discuss the new RAP, service levels and future change management process.

4.0 CONCLUSION

Firsthand experience of BFD personnel has shown that the new RAP has resulted in delayed ambulance response to medical incidents in Burnaby. For the first 3 ½ months period since the new RAP implementation, Fire Department first responders have experienced an average wait of 9:21 minutes for BCAS to arrive and the number of incidents where department personnel waited for longer than 30 minutes has more than doubled, including six incidents where the wait was greater than one hour.

While BCEHS has reduced its service to the public by reducing the number of calls that medically require a code 3 response, the City remains committed to responding to emergency medical calls from its citizens in a timely manner. More than 70 types of medical incidents have been downgraded from code 3 to 2 under the new RAP, staff are of the opinion that the changes made on the basis of clinical and statistical data have ignored the important needs of immediate scene assessment and stabilization as well as patient conditions and status updates at the scene if the event is escalated to more serious than reported or as classified by the call taker. Furthermore, the delayed ambulance response also requires the BFD's resources to stay at the scene longer and potentially could impact the BFD's ability to respond to other emergencies in a timely manner.

To address the impact of the new RAP, it is recommended that the proposed course of action as outlined in Section 3.0 of this report be endorsed by Council.

Doug McDonald
FIRE CHIEF

Copied: Deputy City Manager (Lambert Chu)

Attachment (2)

" ATTACHMENT A "

2013 Resource Allocation Plan (RAP) Updates – BCAS only

*RAP is HOT (code 3) unless otherwise indicated

Change from HOT to COLD response

Event Type	Description	Current RAP	New RAP
01C01	Abdo Pain - SUSPECTED aortic aneurysm	BLS-3-FR	BLS-2-FR
01C02	Abdo Pain - Known aortic aneurysm	BLS-3-FR	BLS-2-FR
01C03	Abdo Pain - Fainting or near fainting	BLS-3	BLS-2
01C04	Abdo Pain - Female with fainting or near fainting	BLS-3	BLS-2
01C05	Abdo Pain - Male with pain above navel	BLS-3	BLS-2
01C06	Abdo Pain - Female with pain above navel	BLS-3	BLS-2
02B01	Allergy / Sting - Unknown status	BLS-3	BLS-2
02B01i	Allergy / Sting - Unknown status - Inj admin adv	BLS-3	BLS-2
02B01m	Allergy / Sting - Unknown status - Med admin adv	BLS-3	BLS-2
03B01	Animal Bites - POSSIBLY DANGEROUS body area	BLS-3-FR	BLS-2-FR
04B01a	Assault - POSSIBLY DANGEROUS body area - Assault	BLS-3-FR	BLS-2-FR
04B01s	Assault - POSSIBLY DANGEROUS body area - Sexual assault	BLS-3-FR	BLS-2-FR
05C03	Back Pain - Fainting or near fainting	BLS-3-FR	BLS-2-FR
06C01	Breathing Probs - Abnormal breathing	BLS-3-FR	BLS-2-FR
06C01a	Breathing Probs - Abnormal breathing - Asthma	BLS-3-FR	BLS-2-FR
08C01	HAZMAT/CBRN - Alert with difficulty breathing	BLS-3-FR	BLS-2-FR
08C01b	HAZMAT/CBRN - Alert with difficulty breathing - Biological	BLS-3-FR	BLS-2-FR
08C01c	HAZMAT/CBRN - Alert with difficulty breathing - Chemical	BLS-3-FR	BLS-2-FR
08C01g	HAZMAT/CBRN - Alert with difficulty breathing - Smell of gas	BLS-3-FR	BLS-2-FR
08C01m	HAZMAT/CBRN - Alert with difficulty breathing - CO	BLS-3-FR	BLS-2-FR
08C01n	HAZMAT/CBRN - Alert with difficulty breathing - Nuclear	BLS-3-FR	BLS-2-FR
08C01r	HAZMAT/CBRN - Alert with difficulty breathing - Radiological	BLS-3-FR	BLS-2-FR
08C01s	HAZMAT/CBRN - Alert w/ difficulty breathing - Suicide attempt	BLS-3-FR	BLS-2-FR
08C01u	HAZMAT/CBRN - Alert with difficulty breathing - Unknown	BLS-3-FR	BLS-2-FR
12B01	Convulsions - Effective breathing not verified	BLS-3-FR	BLS-2-FR
12B01e	Convulsions - Effective breathing not verified - Hx seizures	BLS-3-FR	BLS-2-FR
13C03	Diabetic - Abnormal breathing	BLS-3-FR	BLS-2-FR
13C03e	Diabetic - Abnormal breathing - Aggressive	BLS-3-FR	BLS-2-FR
15C01e	Electrocution - Alert and breathing normally - Electrocution	BLS-3-FR	BLS-2-FR
15C01i	Electrocution - Alert and breathing normally - Lightning	BLS-3-FR	BLS-2-FR
15D08e	Electrocution - Unknown status - Electrocution	BLS-3-FR	BLS-2-FR
15D08i	Electrocution - Unknown status - Lightning	BLS-3-FR	BLS-2-FR

17B01	Falls - POSSIBLY DANGEROUS body area	BLS-3-FR	BLS-2-FR
17B01g	Falls - POSSIBLY DANGEROUS body area - On the ground	BLS-3-FR	BLS-2-FR
17B01j	Falls - POSSIBLY DANGEROUS body area - Jumper	BLS-3-FR	BLS-2-FR
17B02	Falls - SERIOUS Hemorrhage	BLS-3-FR	BLS-2-FR
17B02g	Falls - SERIOUS Hemorrhage - On the ground	BLS-3-FR	BLS-2-FR
17B02j	Falls - SERIOUS Hemorrhage - Jumper	BLS-3-FR	BLS-2-FR
18C02	Headache - Abnormal breathing	BLS-3-FR	BLS-2-FR
19C07	Heart Probs - Unknown status	BLS-3-FR	BLS-2-FR
20C01c	Heat / Cold - Heart attack or angina history - Cold exposure	BLS-3-FR	BLS-2-FR
20C01h	Heat / Cold - Heart attack or angina history - Heat exposure	BLS-3-FR	BLS-2-FR
21B01	Hemorrhage - POSSIBLY DANGEROUS Hemorrhage	BLS-3	BLS-2
21C01	Hemorrhage - Hemorrhage through TUBES	BLS-3	BLS-2
21C02	Hemorrhage - Hemorrhage of dialysis fistula	BLS-3-FR	BLS-2-FR
21D03	Hemorrhage - DANGEROUS Hemorrhage	BLS-3-FR	BLS-2-FR
24C01	Pregnancy - 2nd TRIMESTER hemorrhage or MISCARRIAGE	BLS-3	BLS-2
24C02	Pregnancy - 1st TRIMESTER SERIOUS hemorrhage	BLS-3	BLS-2
26C02	Sick Person - Abnormal breathing	BLS-3-FR	BLS-2-FR
29B01	MVA - Injuries	BLS-3	BLS-2
29B01u	MVA - Injuries - Unknown px	BLS-3-FR	BLS-2-FR
29B01v	MVA - Injuries - Multi Patient	BLS-3-FR	BLS-2-FR
29B01x	MVA - Injuries - Unk Px Add Vehs	BLS-3-FR	BLS-2-FR
29B01y	MVA - Injuries - Multi px Add Veh	BLS-3-FR	BLS-2-FR
29B02	MVA - SERIOUS hemorrhage	BLS-3-FR	BLS-2-FR
29B02u	MVA - SERIOUS hemorrhage - Unknown px	BLS-3-FR	BLS-2-FR
29B02v	MVA - SERIOUS hemorrhage - Multi Patient	BLS-3-FR	BLS-2-FR
29B02x	MVA - SERIOUS hemorrhage - Unk Px Add Vehs	BLS-3-FR	BLS-2-FR
29B02y	MVA - SERIOUS hemorrhage - Multi px Add Veh	BLS-3-FR	BLS-2-FR
29B03	MVA - Other hazards	BLS-3	BLS-2
29B03u	MVA - Other hazards - Unknown px	BLS-3	BLS-2
29B03v	MVA - Other hazards - Multi Patient	BLS-3	BLS-2
29B03x	MVA - Other hazards - Unk Px Add Vehs	BLS-3	BLS-2
29B03y	MVA - Other hazards - Multi px Add Veh	BLS-3	BLS-2
29B04	MVA - Unknown status	BLS-3	BLS-2
29B04u	MVA - Unknown status - Unknown px	BLS-3	BLS-2
29B04v	MVA - Unknown status - Multi Patient	BLS-3	BLS-2
29B04x	MVA - Unknown status - Unk Px Add Vehs	BLS-3	BLS-2
29B04y	MVA - Unknown status - Multi px Add Veh	BLS-3	BLS-2
30B01	Trauma Injury - POSSIBLY DANGEROUS body area	BLS-3-FR	BLS-2-FR

30B02	Trauma Injury - SERIOUS hemorrhage	BLS-3-FR	BLS-2-FR
31A02	UC / Fainting - Fainting episode(s) and alert - Cardiac history	BLS-3-FR	BLS-2-FR
31C01	UC / Fainting - Alert with abnormal breathing	BLS-3	BLS-2
31C03	UC / Fainting - Female with abdominal pain	BLS-3	BLS-2
Change from COLD to HOT response			
32B03	Unknown - Unknown status	BLS-2	BLS-3
32B04	Unknown - Callers language not understood	BLS-2	BLS-3

January 3, 2014

File: 200-20/RAP
Chiff: 990287

To Your Worship,

Re. Local Government Interest in First Responder Services

One of the challenges all emergency services face is ensuring the safety of the travelling public while responding to incidents using the lights and siren. Anytime a first responder agency, be it police, fire or ambulance, responds on an emergency basis, the risk of a motor vehicle incident increases, whether or not the emergency vehicle is involved directly. As you can understand, the safety of the public and the staff that provide the services to the public is important to the BCEHS board.

Additionally, all emergency service providers must ensure that there are enough resources available to provide a timely, safe and quality response to the public while also enabling resiliency in the system to respond to major incidents or other spikes in demand on any given day.

Under the Emergency Health Services Act, the Board of BC Emergency Health Services (BCEHS) is responsible for governing all emergency medical services provided in British Columbia, including those provided by both BC Ambulance Service (BCAS), first responder agencies, BC Patient Transfer Network and Trauma Services BC. We take our responsibility to patients and taxpayers seriously; we are committed to ensuring patient needs come first and using all resources as effectively and efficiently as possible.

On November 12, 2013, BCEHS President Michael MacDougall sent a letter outlining the rationale and process used to update the Resource Allocation Plan (RAP) for ambulances and first responders. The RAP assigns the appropriate resource(s) and response mode (lights and siren or routine) for over 800 different types of pre-hospital medical calls. The evidence-based review was undertaken to ensure that the right resource, responds to the right patient, at the right time and the public isn't exposed to unnecessary risk from emergency vehicles responding using lights and siren when not clinically required.

The results of the review reduced the number of call types requiring a lights and siren response and/or Advanced Life Support ambulances to attend. The review also found that first responders were not required to attend 35 per cent of the medical calls that they are now notified of by BCAS because the patients do not require their medical services. Additionally, if a first responder is assigned a lower priority medical call, there is an increased risk that they are not available to respond to calls of a critical nature where they can have the greatest

impact on a patient's outcome. The RAP does not affect the other services fire departments provide such as scene safety or vehicle extraction. A report summarizing the RAP review is available online at <http://www.bcas.ca/about-us/reports-statistics/>. If you wish to respond to all the incidents, irrespective of the response rating, this is an issue that we would be pleased to discuss with you.

To date, the RAP changes that affect ambulance responses have been implemented, but those affecting first responders have not. Following the review process, BCEHS heard from many municipal fire departments providing first responder services that they were interested in assuming a greater role in pre-hospital care. However, at the Union of BC Municipalities Convention (UBCM), many local governments felt that it was important to use public resources as efficiently and effectively as possible and only wanted to attend medical calls where first responders could have a significant positive impact on the patient's outcome. Most often these instances are during calls involving trauma or cardiac arrests.

It is important to note that historically first responders have driven to all medical calls using lights and siren even if the ambulance was responding routine. Since the RAP changes for ambulances were implemented earlier this fall, most fire departments in B.C. have decided to match BCAS's response mode and only drive lights and siren if the patient's condition warrants an emergency driving response. This change is a significant improvement in public safety for communities throughout B.C. and an example of the positive benefit of collaboration between the groups involved.

BCEHS and BCAS aim to provide pre-hospital patient care that is safe, timely and of high quality. The BCEHS Board of Directors believes it is important that our partners in pre-hospital care, municipalities and first responders, have an opportunity to provide input into how services are delivered, particularly when changes are being contemplated. BCEHS has been speaking with delegates at the UBCM Convention, the Fire Chiefs' Association of BC, the Greater Vancouver Fire Chiefs Association, an expanded BCEHS First Responder Committee that included several fire chiefs from throughout B.C., individual local governments and other stakeholders about the RAP changes.

BCEHS is in the process of setting up briefings for those municipalities which requested an opportunity discuss the further implementation of RAP following Mr. MacDougall's letter of November 12, 2013. If you want to provide input or require more information, please contact Shelly Drew at Shelley.Drew@bcehs.ca or call 250 474-7582.

The BCEHS Board of Directors believes that with your perspectives being considered, we will be able to provide the direction needed to ensure that the BCEHS First Responder Program can be refined in a way that meets the needs of individual communities.

Thank you in advance for your attention to this matter.

Sincerely,



G.W. (Wynne) Powell CPA, FCGA, D. Tech (Hon.)
Board Chair

