

WHISTLER

AGENDA

REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, MARCH 4, 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 March 4, 2014.

ADOPTION OF MINUTES

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

PUBLIC QUESTION AND ANSWER PERIOD

PRESENTATIONS/DELEGATIONS

Whistler Chamber of
Commerce Spirit
Engagement Strategy

A presentation from Val Litwin, Chief Executive Officer of the Whistler Chamber of Commerce regarding a Spirit Engagement Strategy.

MAYOR'S REPORT

INFORMATION REPORTS

2014 Festival, Events and
Animation Update
Report No. 14-015
File No. 8216

That Information Report No. 14-015 be received.

ADMINISTRATIVE REPORTS

LLR 128 - Conference
Centre Extension of Hours
for WSSF Events
Report No. 14-016
File No. LLR 128

That Council authorize hours of liquor sale until 4:00 am on the night of Saturday, April 12, 2014 at the Whistler Conference Centre;

That Council authorize hours of liquor sale until 4:00 am on the night of Saturday, April 19, 2014 at the Whistler Conference Centre; and further,

That Council authorize staff to support Tourism Whistler's application to the

provincial Liquor Control and Licensing Branch for a Temporary Change to a Liquor License for the events.

Business Licence
Amendment Bylaw No.
2040, 2014
Report No. 14-017
File No. 4700

That Council consider giving first, second and third readings to Business Licence Amendment Bylaw No. 2040, 2014

Parking and Traffic
Amendment Bylaw No.
2041, 2014
Report No. 14-021
File No. 4700

That Council consider giving first, second and third reading to Parking and Traffic Amendment Bylaw No. 2041, 2014

Section 910 Exemption -
8488 Bear Paw Trail
(Flood Proofing)
Report No. 14-018
File No. 910 Sec. 0007

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 8488 Bear Paw Trail; 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, as outlined in geotechnical report as Appendix “B” to Administrative Report No. 14-018, prepared by Exp Services Inc. and confirming that the property is safe for the use intended.

Zoning Amendment Bylaw
(LR6 Zone - 5678 Alta
Lake Road) No. 2039,
2014
Report No. 14-019
File No. RZ 1079

That Council consider giving first and second readings to Zoning Amendment Bylaw (LR6 Zone - 5678 Alta Lake Road) No. 2039, 2014; and further,

That Council authorize the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (LR6 Zone - 5678 Alta Lake Road) No. 2039, 2014 for April 1st, 2014 and to advertise for same in the local newspaper.

Municipal Ticket
Information System
Implementation
Amendment Bylaw No.
2002, 2012
Report No. 14-020
File No. 800.1

That Council consider giving first, second and third reading to Municipal Ticketing Information System Implementation Amendment Bylaw No. 2002, 2012.

MINUTES OF COMMITTEES AND COMMISSIONS

Forest and Wildland
Advisory Committee

Minutes of the Forest and Wildland Committee meeting of January 8, 2014.

BYLAWS FOR FIRST AND SECOND READING

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

The purpose of Zoning Amendment Bylaw (LR6 Zone – 5678 Alta Lake Road) No. 2039, 2014 is to amend the LR6 Zone to include “assembly” and “concession” as permitted uses.

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Business Licence
Amendment Bylaw No.
2040, 2014

The purpose of Business Licence Amendment Bylaw No. 2040, 2014 is to amend Business Licence Bylaw No. 567, 1987 by deleting the current schedule B (the current business license application form) and replace it with a new one.

Parking and Traffic
Amendment Bylaw No.
2041, 2014

The purpose of this report is to amend Parking and Traffic Amendment Bylaw No. 2041, 2014 by inserting section 3 (1) which pertains to winter parking regulations; and to delete section 11 and replace it with revised wording. The revised wording will amend the bylaw to be consistent with the addition of section 3 (1) with respect to "commercial vehicle" parking.

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

The purpose of Municipal Ticket Information System Implementation Amendment Bylaw No. 2002, 2012 is to add the ticketable offenses for the Environmental Protection Bylaw No. 2000, 2012 to the Municipal Ticket Information System Implementation Bylaw No. 1719. 2005 and revise the title sections of the schedules.

BYLAWS FOR ADOPTION

Environmental Protection
Bylaw No. 2000, 2012

The purpose of Environmental Protection Bylaw No. 2000, 2012 is to protect streams and trees in the Resort Municipality of Whistler.

OTHER BUSINESS

CORRESPONDENCE

Cheakamus Cross
Assistance Letter
File No. 7002.11

Correspondence from Karen Thomson and Alisdair Macaulay, received February 12, 2014, requesting assistance regarding their unit in the Rise in Cheakamus Crossing.

Olympic Animal Cruelty
File No. 8199

Correspondence from Peter Hamilton, Director of LifeForce, received February 23, 2014, regarding the Olympic legacy of animal abuses.

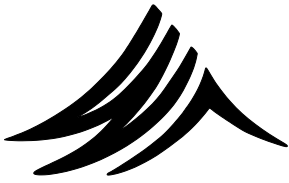
Spirit Trees Response
File No. 3009

Correspondence from Brian Wolfgang Becker dated February 19, 2014, regarding comments on the Spirit Tree Functional Art Installations.

Metro Vancouver Waste
Flow Management and
the Greater Vancouver
Sewerage and Drainage
District Recyclable
Material Regulatory Bylaw
No. 280
File No. 4065

Correspondence from Greg Moore, Chair of the Metro Vancouver Board and Malcolm Brodie, Chair of the Zero Waste Committee, dated February 12, 2014, requesting support for the "Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280."

ADJOURNMENT



WHISTLER

MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, FEBRUARY 18, 2014, STARTING AT 5:30 PM**

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

PRESENT:

Mayor N. Wilhelm-Morden

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

ABSENT: J. Faulkner

Chief Administrative Officer, M. Furey
General Manager of Corporate and Community Services, N. McPhail
General Manager of Infrastructure Services, J. Paul
General Manager of Resort Experience, J. Jansen
Director of Finance, K. Roggeman
Director of Planning, M. Kirkegaard
Corporate Officer, S. Story
Manager of Communications, M. Comeau
Manager of Special Projects, T. Battiston
Manager of Environmental Stewardship, H. Beresford
Senior Planner, M. Laidlaw
Planner, F. Savage
Planner, R. Brennan
Planning Technician, R. Licko
Recording Secretary, N. Best

ADOPTION OF AGENDA

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

That Council adopt the Regular Council agenda of February 18, 2014 as amended to remove the Whistler Chamber of Commerce Spirit Engagement Strategy presentation.

CARRIED

ADOPTION OF MINUTES

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

That Council adopt the Regular Council minutes of January 28, 2014.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

There were no questions from the public.

PRESENTATIONS/DELEGATIONS

2013 Crime Statistics

A presentation was given by Staff Sergeant Steve LeClair regarding 2013 Crime Statistics.

Council Retreat Outcomes

A presentation was given by Mike Furey, Chief Administrative Officer regarding the Council retreat outcomes.

MAYOR'S REPORT

Mayor N. Wilhelm-Morden thanked Councillor J. Crompton for assuming the acting mayor duties in the month of February.

Mayor N. Wilhelm-Morden shared that on February 13, council held a retreat with senior management to plan for Resort Municipality of Whistler priorities in 2014. Mayor N. Wilhelm-Morden thanked senior staff CAO, Mike Furey, council and staff who participated in the retreat.

Mayor N. Wilhelm-Morden announced a new festival that will kick off the summer season during the Victoria Day Long Weekend, May 16-19, 2014. The development of Whistler's Great Outdoors Festival (GO Fest) during the Victoria Day Long Weekend is part of the Resort Municipality of Whistler's (RMOW) Festival, Events and Animation program and is one component of the larger May Long Weekend Initiative. GO Fest is funded by the RMOW through RMI funds. Mayor N. Wilhelm-Morden announced that the RMOW, along with the festival producers, Crankworx Events Inc., has announced preliminary details of the event including the return of The Great Snow-Earth-Water race, last held in Whistler more than 20 years ago, will return on Sunday, May 18. More information will be available as soon as the schedule of events is finalized at www.greatoutdoorsfest.com.

Mayor N. Wilhelm-Morden invited Whistler residents, second homeowners, and business owners to the RMOW's 2014 Budget Open House next Tuesday, February 25 from 4 to 7 p.m. at Millennium Place. The open house will include:

- a gallery walk;
- presentations about the budget and corporate performance indicators (beginning at 4:30 p.m.);
- a question and answer period; and,
- opportunities to discuss issues and share ideas with members of staff and council.

More information can be found at visit.whistler.ca/budget.

Mayor N. Wilhelm-Morden reported that on February 10, the RMOW celebrated the second BC Family Day in Whistler by offering promotions and discounts at the recreational facilities.

Highlights included:

- Whistler Blackcomb offered 50 per cent off ski passes
- More than 500 people participated in the Family Après – Games Edition at Whistler Olympic Plaza;
- Approximately 950 skates were rented at Whistler Olympic Plaza during the long weekend; and,
- More than 300 families and individuals took advantage of the 50 per cent off drop-in rate at the Meadow Park Sports Centre on February 10.

Mayor N. Wilhelm-Morden shared that on February 5, Industry Canada announced changes to Canada's Antenna Siting Policy. The new regulations now require a company to consult with communities on all commercial tower installations, regardless of height. Over the last year, the RMOW has worked in consultation with the community to develop an antenna system siting protocol, which establishes procedures and guidelines for the placement and design of antenna systems in Whistler. The new regulations further strengthen the RMOW's ability to ensure antenna towers are built taking into consideration the resort community's needs. For more information, visit whistler.ca.

Mayor N. Wilhelm-Morden shared information regarding the Gobo 3.0 Project. As part of Whistler Village 3.0, the Whistler Arts Council in partnership with the RMOW is seeking submissions for the Gobo 3.0 Project. A gobo is a template made of glass or steel that is inserted into a lighting fixture to create a projected image onto a surface. The Whistler Arts Council is looking for five pieces of unique art to transfer onto gobos, which will then be projected throughout the year onto the southwest side of Millennium Place. The submission deadline is March 7. Visit whistler.ca for details.

Mayor N. Wilhelm-Morden announced the RMOW's sixth annual Poet's Pause Poetry Competition and Mayor's Poetry Challenge. Poems are commissioned for display at the Poet's Pause sculpture sites in Alta Lake Park and, as part of the Mayor's Poetry Challenge, and will be read at a municipal council meeting in April to celebrate National Poetry Month. Details are available at whistler.ca/poetspause and at Municipal Hall. The deadline for submissions is March 31, 2014.

Mayor N. Wilhelm-Morden shared that Olympic-themed activities are currently underway and will continue in Whistler Village until February 23. Upcoming activities include:

- Games daily broadcast viewing at Whistler Olympic Plaza
- Family Après Games Edition at Whistler Olympic Plaza
- Bobsleigh demos at Whistler Olympic Plaza;
- Fire and Ice Show at Skier's Plaza; and more.

Visit whistler.ca/olympics for more information.

Mayor N. Wilhelm-Morden shared the details of a release that was made by the Province of B.C. on January 31, regarding the final report on the B.C. Liquor Policy Review. The government announced its full support for all 73 recommendations in the report. The recommendations will streamline the application process for special occasion licenses and refresh outdated liquor policies around beer garden fencing, opening up new opportunities for festivals, special events and non-profit organizations.

In response to the provincial changes, municipal staff are currently reviewing how the policy changes will impact the RMOW's current policies and processes and what amendments are required.

Mayor N. Wilhelm-Morden shared that the Whistler Centre for Sustainability is holding a free community event on February 26 at 7 p.m. at the Whistler Conference Centre featuring local economy expert Michael Shuman. Topics will include local ownership and self-reliance, public policy, local investment strategies, creating regional supply chains, leakage analysis, and some building blocks for creating a more vibrant Sea to Sky Corridor economy. To register, email info@whistlercentre.ca.

Mayor N. Wilhelm-Morden, on behalf of Council and the RMOW, welcomed racers to the Sigge's P'ayakentsut cross-country ski loppet at Whistler Olympic Park this Saturday, February 22 and Sunday, February 23. This is the largest cross-country ski event in B.C., and last year hosted 700 participants.

Mayor N. Wilhelm-Morden shared that the Honourable Judith Guichon, Lieutenant Governor of British Columbia, is pleased to present a new program to promote music and community spirit across the province. "Sing Me A Song" is an opportunity for musical groups of all ages and genres to write and sing an original song in the lead up to Canada's 150th birthday celebrations in 2017. Groups are encouraged to write a song about what Canada's 150th Birthday means to them or their community. Each entry will be reviewed by a panel of musicians from around the province and an award of \$1,000 will be granted annually in each of three age categories. Entries will be posted on the Lieutenant Governor's website and YouTube channel to be viewed by all British Columbians.

Councillor A. Janyk congratulated School District 48 along with the Squamish and Lil'wat Nations who recently finalized a five-year Aboriginal Education Enhancement Agreement.

Councillor A. Janyk congratulated all of the Sea to Sky Olympic and Paralympic athletes on Team Canada, who are and will be competing in the 2014 Winter Games. Fifteen men and women from the region have qualified for the 2014 Olympic Winter Games in events including alpine skiing, freestyle skiing, and snowboarding. The Paralympic Team will be announced at the end of February.

Councillor J. Crompton congratulated Cheryl Skribe who was appointed as the new Executive Director for the Whistler Community Services Society.

INFORMATION REPORTS

Fourth Quarter
Investment Report –
2013
Report No. 14-008
File No. 4572

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

That Council receive Information Report No.14-008 Investment Holdings as of December 31, 2013.

CARRIED

ADMINISTRATIVE REPORTS

LLR 1175 – Garfinkel's
Liquor Primary Change
to Hours of Sale
Report No. 14-009
File No. LLR 1175

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

That Council authorizes the resolution attached as Appendix "A" to Administrative Report No. 14-009 providing Council's recommendation to the BC Liquor Control and Licensing Branch in support of an application from Garfinkel's nightclub located at 1-4308 Main Street for a Permanent Change to Licensed Hours of Sale for Liquor Primary License No. 177866, to extend hours of sale to 2:00 am on Sunday nights.

CARRIED

DP 1320 – Development
Permit with Variances –
2010 London Lane
Report No. 14-010
File. DP 1320

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

That Council approve Development Permit Application 1320 for a single storey commercial building per the architectural plans (Project No. 13015, Sheets A-0.0, A-1.0, A-1.1, A-1.2, A-1.3, A-2.1, A-3.1, A-4.1 and A-4.2) prepared by Chandler Associates Architecture Inc. submitted January 31, 2014 and the landscape plans (Project No. 13.032, Sheets L1, L2 and L3) prepared by Forma Design Inc. submitted January 31, 2014 and preliminary engineering plans (Project No. 13240, Sheet C-1 and C-2) prepared by CREUS Engineering Ltd. submitted January 31, 2014 as presented in Appendix B of Administrative Report No. 14-010, which include the following variances to the Zoning Bylaw:

- a) Vary front setback (along Highway 99) for the building from 7.5 metres to 4 metres (Section 8, 5.6.1);
- b) Vary side setback for the building from 3.5 metres to 2 metres on the north side (Section 8, 5.6.2);
- c) Vary side setback for the covered walkway from 3.5 metres to 0 metres on the south side (Section 8, 5.6.2);
- d) Vary side setback for recycling structure from 3.5 metres to 1.5 metres on the north side (Section 8, 5.6.2);
- e) Vary rear setback for the recycling structure from 3 metres to 1.5 metres on the east side (Section 8, 5.6.3);
- f) Vary landscape area width from 7.5 metres to 3.6 metres along Highway 99, from 3 metres to 1.5 metres on the rear side, from 3.5 metres to 1.5 metres on the north side and from 3.5 metres to 0.72 metres on the south side (Section 6, 7.6);
- g) Vary the height of a freestanding sign on a corner parcel adjacent to an arterial highway from 0.9 metres to 3 metres (Section 5, 17.2);

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

1. Finalization of the architectural and landscape plans to address the items specified in Administrative Report No. 14-010 and summarized in the letter to the applicant attached as Appendix D to Administrative Report No. 14-010;
2. Provision of a letter of credit, or other approved security, in the

amount of 135 percent of the costs of the hard and soft landscape works both on-site and off-site on the adjacent road rights-of-way as security for the construction and maintenance of these works; and further

3. Registration of an encroachment agreement on the road rights of way that will establish the owner's responsibility for maintaining the landscape areas and associated improvements for the area immediately between the subject property and Highway 99 and London Lane; and further

That Council authorize the Mayor and the Corporate Officer to execute the encroachment agreement legal document in conjunction with this permit.

CARRIED

DP 1275 - 4280 Mountain
Square - Carleton Lodge
Renovations
Report No. 14-011
File No. DP 1275

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

That Council approve Development Permit 1275 for a comprehensive building envelope rehabilitation, pedestrian retail level storefront, patio and landscape improvements of the Carleton Lodge property per the architectural plans prepared by Rositch Hemphill Architects, dated February 5, 2014 and the landscape plans prepared by Tom Barratt Ltd., dated February 4, 2014 attached as Appendices B and C to Council Report No. 14-011, subject to the resolution of the following items to the satisfaction of the General Manager of Resort Experience:

1. Finalization of the plans and outstanding items specified in the letter attached as Appendix D to Council Report No. 14-011;
2. Registration of easement agreements for canopy, planter and stair encroachments onto Whistler Village Land Co. Ltd. property and municipal road right of way;
3. Registration of a Section 219 flood proofing covenant modification to enable the proposed patio and landscape improvements;
4. Amendment of the existing parking stall license between the Whistler Village Land Company Ltd. and Carleton Lodge Ltd. to lease an additional parking space in the adjacent Whistler Village Land Co. Ltd. parkade to the owners of Carleton Lodge;
5. Submission of a cost estimate for the hard and soft landscape works and provision of a letter of credit or other approved security in the amount of 135 percent of the costs of the landscape as security for the construction and maintenance of these works; and further

That Council authorize the Mayor and Corporate Officer and, where applicable, the directors of the Whistler Village Land Co. Ltd. to execute the above referenced legal agreements.

CARRIED

RZ 1077 - Gross Floor
Area Exclusion
Regulations
Report No. 14-013
File No. RZ 1077

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

That Council endorse the continuing review of the Gross Floor Area Exclusion regulations of Zoning & Parking Bylaw 303, 1983; and further

That Council instruct staff to prepare bylaws to amend the Gross Floor Area Exclusion regulations, as described in Administrative Report No. 14-013.

CARRIED

UBCM Fuel Management
Prescription Program
Application
Report No. 14-012
File No. 8337

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

That Council provide support for the activities and grant management described in UBCM Fuel Management Prescription Program Application attached as Appendix A to Administrative Report No. 14-012.

CARRIED

Environmental Protection
Bylaw No. 2000, 2012
Report No. 14-014
File No. 800.1

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

That Council considers giving first, second and third reading to Environmental Protection Bylaw No. 2000, 2012.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee

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

That the minutes of the Public Art Committee meeting of December 18, 2013 be received.

CARRIED

Liquor Licence Advisory
Committee

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

That the minutes of the Liquor Licence Advisory Committee meeting of December 12, 2013 be received.

CARRIED

Measuring Up Committee

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

That the minutes of the Measuring Up Committee meeting of November 13, 2013 be received.

CARRIED

BYLAW FOR FIRST, SECOND AND THIRD READING

Environmental Protection
Bylaw No. 2000, 2012

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

That Environmental Protection Bylaw No. 2000, 2012 receive first, second and third readings.

CARRIED

ITEMS HAVING PRIOR NOTICE OF MOTION

Naming of Spearhead
Range Endorsement

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

That Council authorize staff to send a letter to the Ministry of Forests, Lands and Natural Resource Operations stating that Council endorses that the two peaks located in the Spearhead Range between Wedge pass and Tremor Mountain be named after Charlie Chandler and Alex Philip provided that the First Nations are consulted.

CARRIED

OTHER BUSINESS

Chief and Deputy Chief
Election Officer
Appointments

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

That pursuant to Section 41(1) and (2) of the *Local Government Act* Shannon Story be appointed Chief Election Officer for conducting the 2014 general local elections in the Resort Municipality of Whistler with power to appoint other election officials as required for the administration and conduct of the 2014 general local elections; and

That Laurie-Anne Schimek be appointed Deputy Chief Election Officer for the 2014 general local elections in the Resort Municipality of Whistler.

CARRIED

Bylaw Officer
Appointment

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

That the Council of the Resort Municipality of Whistler ("Whistler") wishes to appoint Tara Merrie as a Bylaw Enforcement Officer pursuant to Section 36 of the *Police Act*, R.S.B.C. 1996, c.367; and upon Tara Merrie swearing the oath before the Corporate Officer (a Commissioner for taking Affidavits), Whistler hereby appoints Tara Merrie as a Bylaw Enforcement Officer, to perform the functions and duties specified in the Bylaw Enforcement Officer's job description, which forms Schedule "B" attached to "Bylaw Enforcement Officer Appointment Bylaw No. 1808, 2007." Tara Merrie shall be appointed for the term that she is employed in the capacity of a Bylaw Enforcement Officer.

CARRIED

CORRESPONDENCE

Centre for Civic
Governance Municipal
Downloading Study
File No. 3009

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

That correspondence from Charley Beresford, Executive Director for the Centre for Civic Governance received January 24, 2014, requesting Council to participate in a municipal downloading study be received and complete the surveys as requested.

CARRIED

Intergenerational Day
Proclamation Request
File No. 3009.1

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

That correspondence from Sharon MacKenzie, Executive Director of the i2i Intergenerational Society of Canada received January 30, 2014, requesting Council proclaim June 1, 2014 as "Intergenerational Day" in Whistler be received and proclaimed.

CARRIED

Highway 99 Functional Art
Installations (Spirit Trees)
Proposal
File No. 3009

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

That correspondence from Brian Wolfgang Becker, received January 31, 2014 regarding the Highway 99 Functional Art Installations (Spirit Trees) Proposal be received.

CARRIED

Dementia Strategy
Resolution Request
File No. 3009.1

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

That correspondence from Claude Gravelle, MP of Nickle Belt received February 6, 2014, requesting Council to adopt a motion urging all levels of the Canadian government to adopt a dementia strategy be received and a letter be sent to the provincial and federal government in support.

CARRIED

BC Ferries Service Cuts
File No. 8204.53

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

That correspondence from Barry Pages, Chair of Skeena-Queen Charlotte Regional District, dated February 3, 2014, requesting Council support in the opposition of BC ferries service cuts and fare increases be received.

CARRIED

Whistler Pottery Club
Empty Bowls Invitation
File No. 3009

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

That correspondence from Margaret Forbes of the Whistler Pottery Club, received February 11, 2014, requesting Council to volunteer for the Empty Bowls event on February 21, 2014 be received.

CARRIED

ADJOURNMENT

Moved by Councillor J. Crompton

That Council adjourn the February 18, 2014 Council meeting at 7:48 p.m.

CARRIED

MAYOR: N. Wilhelm-Morden

CORPORATE OFFICER: S. Story

DRAFT



REPORT | INFORMATION REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-015

FROM: Resort Experience

FILE: 8216

SUBJECT: 2014 FESTIVALS, EVENTS & ANIMATION UPDATE

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Information Report No. 14-015 be received.

PURPOSE

Apprise Council of the planning process and the status of the 2014 Festivals, Events & Animation (FE&A) program.

DISCUSSION

The 2014 FE&A planning process began in August 2013. During August and September the FE&A Working Group (WG) and FE&A Oversight Committee (OSC) undertook an evidence-based strategic planning process during which key facts, research findings and issues were identified.

From that foundation, the overall premise, goals, strategies, budget, and proposed 2014 FE&A program were developed.

On October 15, 2013 the OSC and RMOW FE&A staff presented Council with a summary of the outcome of the August/September FE&A planning process, as well as the goals, strategies, and proposed 2014 FE&A calendar.

The 2014 FE&A calendar highlighted programs which are either new or different from prior years. These additions or changes include the introduction of a May Long Weekend Festival, moving Vancouver Symphony Orchestra (VSO) concerts from late July to early July, moving the IRONMAN Canada race date from August 25 to July 27, as well as enhanced and expanded Winter Animation programs including Family Après and leveraging the 2014 Sochi Olympics.

The presentation included a recommendation that Council approve early funding of \$1,200,000 for the 2014 FE&A program from Resort Municipality Initiative (RMI) reserves to enable FE&A programming to occur from January through April 2014, to initiate planning for the May Long Weekend Festival, and to provide deposits for certain summer programs. Council unanimously passed the resolution for early funding.

From mid-October through December 2013 the FE&A WG and OSC focused on three projects:

- Initiating the 2014 Attract, Retain, Augment (formerly Augmentation) process including Requests for Expressions of Interest (REOI), Request for Proposals (RFP), and the receipt of proposals;
- Initiating the May Long Weekend Festival planning process by posting the RFP for a festival producer, followed by evaluation of proposals and awarding the contract;
- Negotiating and finalizing 2014 contracts with the VSO for performances on Canada Day and the following weekend, and with brand.LIVE for programming and performer services for the *Whistler Presents* Summer Concert Series.

In addition, the 2013 FE&A program concluded with the production of successful programs for New Year's Eve and Whistler Holiday Experience.

During January and February 2014 RMOW staff and the FE&A WG conducted a comprehensive review and assessment of proposals submitted by third party producers for the Attract, Retain, Augment component of the FE&A program. The FE&A OSC reviewed and endorsed 2014 event investments at their February 19, 2014 meeting.

Also during January and February, the strategic framework for the May Long Weekend Festival was completed and the initiative was recently introduced as *Whistler's Great Outdoors Festival (GO Fest)*. The Resort Experience Division is working closely with the Corporate and Community Services Division to ensure *GO Fest* supports the goals and objectives put forward by the May Long Weekend Committee.

Also during January and February, RMOW staff managed the production and integration of expanded winter programs to enhance the guest experience including Family Après, Olympic Celebrations, as well as preparing programs for March break.

Whistler's Great Outdoors Festival Development Process

Even though planning for the overall 2014 FE&A program began in August 2013, the groundwork for *Whistler's Great Outdoors Festival* began six months earlier during a two-day design workshop in Whistler on January 23 & 24, 2013.

The design workshop involved twenty-five participants representing the eight organizations in the FE&A WG. The purpose of the design workshop was to develop a wide range of event concepts for Whistler, conduct initial feasibility on each concept and, ultimately, identify the event concept with the greatest likelihood for achieving long-term success.

Participants were aligned on the outcome of the process; specifically, that three viable concepts emerged, each unique to Whistler during event need periods. These are: an outdoor sports and recreation festival in mid-May, a mountain lifestyle conference and tradeshow in late September, and a festival celebrating multiple expressions and genres of light in early to mid-December.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that move us toward	Comments
Economic	Whistler has a diversified and year-round tourism economy.	The FE&A program contributes to Whistler's economy by developing and producing a wide range of programs – including working with third party event producers – to attract visitors and/or enhance the guest experience.
Economic	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services.	
Visitor Experience	A diverse range of year-round activities is developed and offered.	
Visitor Experience	Visitors choose Whistler to actively participate in recreation, learning, and cultural opportunities.	
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	ACH programming – including local and regional artists and performers – plays an increasingly important role in the overall FE&A program.
Arts, Culture & Heritage	Arts, cultural and heritage (ACH) opportunities attract visitors and contribute to the experience and local economy.	

BUDGET CONSIDERATIONS

The total budget for the 2014 FE&A program is \$3,160,000.

On October 15, 2013 Council approved early funding of \$1,200,000 from RMI reserves for FE&A to invest in programming that occurs from January through April, secure performers and services for spring and summer programs, thereby enabling resort partners to be in-market with advertising and promotion well in advance of programs.

COMMUNITY ENGAGEMENT AND CONSULTATION

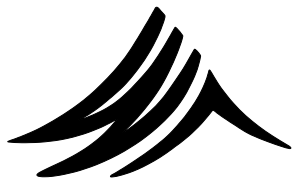
The FE&A Working Group will continue to engage resort stakeholders and consult with industry experts while planning the 2014 FE&A program and beyond.

SUMMARY

The planning process for the 2014 FE&A program involves multiple stakeholders from within the resort community, is driven by evidence-based strategies, extensive outreach, and rigorous review and assessment with the overarching goal of ensuring the FE&A program contributes to Whistler's long-term growth as a destination for sport, recreation, arts, culture and heritage.

Respectfully submitted,

John Rae
MANAGER STRATEGIC ALLIANCES
for
Jan Jansen
GENERAL MANAGER RESORT EXPERIENCE



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-016

FROM: Resort Experience

FILE: LLR 128

SUBJECT: LLR 128 - CONFERENCE CENTRE EXTENSION OF HOURS FOR
WSSF EVENTS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize hours of liquor sale until 4:00 am on the night of Saturday, April 12, 2014 at the Whistler Conference Centre;

That Council authorize hours of liquor sale until 4:00 am on the night of Saturday, April 19, 2014 at the Whistler Conference Centre; and further,

That Council authorize staff to support Tourism Whistler's application to the provincial Liquor Control and Licensing Branch for a Temporary Change to a Liquor License for the events.

REFERENCES

Appendix "A" – World Ski & Snowboard Festival request for support received February 19, 2014
Appendix "B" – World Ski & Snowboard Festival event dispersal plan received February 17, 2014

PURPOSE OF REPORT

For a temporary change in hours of liquor sale for a liquor primary establishment the provincial Liquor Control and Licensing Branch (LCLB) requires local government comment, usually provided by RMOW staff. However, Council approval is required by municipal policy for any extension of hours of liquor sale past 2:00 am.

This report requests that Council authorize extended hours of liquor sale to 4:00 am at the Whistler Conference Centre on the nights of April 12 and 19, 2014 for special events as part of the annual World Ski & Snowboard Festival. The report also requests that Council provide authorization for staff to support Tourism Whistler's application to the LCLB for a temporary change to the Whistler Conference Centre liquor license for the events.

DISCUSSION

The World Ski & Snowboard Festival (WSSF) is produced by Watermark Communications in partnership with Whistler Blackcomb and Tourism Whistler. The Whistler Conference Centre operates under Tourism Whistler's liquor-primary license No. 106769, which permits hours of liquor sale from 11:30 am to 1:30 am, Monday through Saturday and 11:00 am to 1:00 am on Sunday.

Benefits to the Resort Community

The festival is a celebration of Whistler's mountain culture, featuring ten days of skiing, snowboarding, sports events, free daily outdoor concerts, after parties with top DJs, fashion shows, film, photography and art. WSSF 2014 is the nineteenth consecutive festival, attracting visitors to

the resort from across North America and internationally at a time when resort occupancy might otherwise be lower. Tourism Whistler has applied to the Municipality and to the LCLB for temporary extensions of hours of liquor sale until 4:00 am for two special events during the festival. Watermark has provided a letter (Appendix "A") detailing the benefits to the festival of having extended hours events on each of the two weekends of the festival. The two events are:

1. "The Beginning" DJ Experience Event – April 12, 2014 from 10:00 pm to 4:00 am
This event was introduced to the festival in 2013 and is planned for up to 1,500 attendees and will feature internationally recognized DJs. The event is intended to create a strong visitor draw on the first weekend of the festival, which has traditionally been less busy, and will provide additional revenue for the festival.
2. "The End" DJ Experience Event – April 19, 2014 from 10:00 pm to 4:00 am
This event, also planned for an attendance of 1,500, has been the iconic and very successful "all night dance party" final event of the festival for the past eight years.

The extended hours for both events generates additional revenue, which permits securing higher level of DJ talent, creating memorable visitor experiences and greater media attention.

Mitigation of Potential Negative Impacts

The 2014 WSSF takes place in mid-April, a time when the resort occupancy rates would otherwise be lower. The following noise mitigation measures are proposed (see dispersal plan in Appendix "B"):

- Noise from the late night events will be substantially confined to the Conference Centre and should not be objectionable outside of the building. A small smoking section will be provided outside of the doors to the surface parking lot and will be monitored for noise by event security staff.
- Attendees will be advised by signage at the exit doors and in the washrooms to be respectful of those staying in accommodation units in the Village.
- Exiting attendees will be reminded by event staff and security staff to encourage quiet and respect.
- All attendees leaving the event after 2:00 am will use doors exiting directly to the Conference Centre surface parking lot. Patrons waiting for taxis will line up inside of the Conference Centre under the supervision of event security personnel. Event organizers will communicate with taxi companies as taxis are needed and advise them to pick up passengers at the double doors facing the parking lot.
- Patrons leaving after 3:00 am will not likely interact with those leaving nightclubs, which end liquor sales at 2:00 am.

The Whistler Detachment of the RCMP have been involved in the ongoing planning for the festival, will have adequate policing resources throughout the festival, and Watermark has committed to pay for additional policing resources that may be necessary to manage the late night events. The RCMP supports the application for extended closing hours to 4:00 am for the two DJ Experience events.

The proposed measures should mitigate the potential for noise and disturbances from patrons leaving the late night events. Similar events with identical formats and 4:00 am closing have been conducted annually since 2008 on the second Saturday night of the festival without negative impacts. Events with liquor service until 4:00 am were held in 2013 on both Saturday nights of the festival with no reported negative impacts on the community.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Economic	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services	The World Ski & Snowboard Festival is a ten-day celebration of music, art, sport and mountain culture that attracts visitors and media attention to the resort.
Visitor Experience	Community members and organizations work collectively to ensure exceptional experiences that exceed visitor expectations	The two DJ Experience events provide an opportunity for the food and beverage sector, local government and enforcement agencies to work together to enable memorable visitor experiences while maintaining order and respecting the rights of other residents and visitors.
Arts, Culture & Heritage	Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy	The Beginning and The End DJ Experience events are major WSSF events. The annual festival generates a large number of room nights, provides free concerts and animation to the Village and maintains Whistler's position as a leader in mountain culture events.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	Visitors and residents can readily immerse themselves in nature, free from noise and light pollution	Noise from patrons leaving an event serving alcoholic beverages can be disruptive to visitors staying in the Village. Event organizers are arranging taxi service to be available at the Conference Centre so that patrons will not have to walk through the Village to the taxi loop. The taxi line-up will be indoors. Patrons leaving after 3:00 am will not likely interact with those leaving nightclubs, which end liquor sales at 2:00 am. The DJ Experience events have not been a problem in the past, and the RCMP support the late closures for the events.
Health & Social	Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness and they avoid the abusive use of substances that evidence indicates have negative effects on physical and mental health	Any extended opportunity for the sale of alcohol has the potential for over-service. The applicant has signed a Good Neighbour Agreement that commits the establishment to procedures and training to avoid potentially adverse effects of their products and services. TW serving staff and managers are Serving It Right certified.

OTHER POLICY CONSIDERATIONS

Council policy on extended hours of liquor sale was established by the adoption of Business Regulation Amendment Bylaw (Licensed Premises) No. 1616, 2002. This regulation restricts the hours of liquor sale to between 9:00 am and 2:00 am except to the extent that Council may authorize extended hours for specified dates, either generally or in respect of individual premises specified in the authorizing resolution. This exception was included in the regulation as recommended by the municipal Liquor License Advisory Committee specifically to accommodate special dates, such as New Year's Eve, or special events that have a community-wide benefit.

Council Policy G-17 *Municipal Liquor Licensing Policy* includes a policy on temporary extension of closing hours. The policy states, "The Municipality does not support extensions of closing hours for licensed establishments past 2:00 am, except for specific dates/events established by policy or for proposals that are determined by Council to generate extraordinary benefits to the resort community and do not have any unacceptable negative impacts on the community or the resort."

A single weekend World Ski & Snowboard Festival event at the Whistler Conference Centre is one of the specific dates/events established by the policy for a 4:00 am closing, subject to annual review, Council approval, plans approved by the Municipality for the mitigation of potential negative impacts and the Conference Centre being in Good Standing. The End DJ Experience on April 19, the second Saturday night of the WSSF, satisfies those criteria, has been approved by Council in past years and is recommended by staff again this year.

In 2014, as in 2013, an additional 4:00 am event is proposed (on April 12, the first Saturday night of the festival), and the policy requires that the new event must generate "extraordinary benefits to the resort community" and "not have any unacceptable negative impacts on the community or the resort". The Beginning DJ Experience event, with its projected 1,500 attendees and no negative impacts, satisfies those criteria and is recommended by staff for approval by Council.

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

COMMUNITY ENGAGEMENT AND CONSULTATION

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

SUMMARY

This report presents and application by Tourism Whistler for a temporary extension of hours of liquor sale until 4:00 am on the nights of April 12 and 19, 2014 for special events as part of the annual World Ski & Snowboard Festival. Staff recommends that Council approve the extensions of hours and authorize staff to support the Tourism Whistler application to the provincial Liquor Control and Licensing Branch for a Temporary Change to a Liquor License for the events.

Respectfully submitted,

Frank Savage
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE



Received February 19, 2014

Request to Mayor, Council and Staff for support of 4am extension for the Whistler Conference Centre for the events; the Beginning and the End DJ Experience Events – April 12th and April 19th.

As World Ski and Snowboard Festival enters its nineteenth year we continue to morph to meet our new reality. Title sponsorship continues to be vigorously pursued with the addition of a new sponsorship agency. We continue to pursue ticketed programming within the Conference Centre in an effort to continue to be able to present great traffic driving programs while looking to find ways to make them self-sufficient and less dependent on sponsorship. The late night DJ dance party “The End” has been in existence for nine years, the first three of those years ending at 5am in the morning and more recently 4am. It is the highest priced ticketed event that WSSF offers and it delivers on a great experience year in and year out, now a perennial sell out. This event does not simply draw 1500+ people, many of them from the city; it is also an economic driver within the event. The addition of the second “All night dance party” in 2013 allowed us to drive more room nights on the first weekend which has traditionally been more soft while creating the opportunity for additional revenue during the years where it is incumbent upon us to try to replace the revenue lost to us by the exit of the title sponsor as we search for a new partner.

Watermark’s record on these late night events and other events speak for themselves, as an active member in this community we will continue to ensure that all actions are taken to ensure a safe, and community friendly event, with security and noise mitigation plans in place that are approved by the RMOW, RCMP and Bylaw.

WSSF’s mission for eighteen years has been to drive traffic to Whistler in what was traditionally a shoulder season. There is no question that we have been successful, along the way we’ve also grown into Whistler’s number one cultural event and an event that reflects are community.

We hope that you will assist us as we transition into our next stage and will support this request.

Thanks you in advance for your consideration,

Sue Eckersley
Executive Director, World Ski and Snowboard Festival
President, Watermark



Received February 17, 2014

Dispersal Plan for the Beginning and the End DJ Experience Event – April 12th and April 19th.

Watermark will implement a plan to help disperse attendees quietly at the end of the night, this plan includes:

- Signage at the Venue on all exit doors reminding people that they are exiting into an area where accommodations exist and thus there is a need to be quiet and respectful.
- Signage on the back of washroom doors also promoting the quiet exiting of the event at the end of the night.
- WSSF will continue to work with the Taxi Company to ensure that they are aware of the event and keep taxis out on the road or have the 5am shift start early. As in the past, there is a mechanism to have cabs paid for by event staff if deemed necessary.
- WSSF will work with local business to see if anyone would be willing to remain open 24 hours to act as early breakfast and thus diminish the demand for immediate exit.
- WSSF will engage security personnel for an extra period of time to mix with exiting attendees to encourage quiet and respect, in addition to event personnel who will assist with information.
- WSSF will work with a local bus/limo company to try to secure additional resources to be used to quickly and quietly disperse the attendees.

Watermark intends to continue its long standing tradition of care and concern for our community and will address any concerns. We have a successful record of executing the late night DJ event for nine years. We understand that hosting late night events are a privilege, not a right, and will continue to demonstrate that we deserve that privilege through ensuring safe events for our attendees that have minimal negative impact on the community while bringing it substantial positive return in bringing people to Whistler that might not otherwise attend.

Kind Regards,
Sue

Sue Eckersley
Executive Director World Ski and Snowboard Festival
President Watermark



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-017

FROM: Corporate and Community Services

FILE: 4700

SUBJECT: BUSINESS LICENCE AMENDMENT BYLAW NO. 2040, 2014

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving first, second and third readings to Business Licence Amendment Bylaw No. 2040, 2014

REFERENCES

None.

PURPOSE OF REPORT

The purpose of this report is to amend Business Licence Bylaw 567, 1987 by deleting the existing "Schedule B" and replace it with the new Schedule "B" that is attached to Business Licence Amendment Bylaw No. 2040, 2014.

DISCUSSION

Staff respectfully request, that Council give consideration to Business Licence Amendment Bylaw No. 2040, 2014. This amendment will replace the existing business licence application form with a revised form that is easier to understand for our customers. The existing current form is scheduled to Business Licence Bylaw No. 567, 1987 and must be changed by bylaw.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Partnering for success	Partners work together to achieve mutual benefit	Improving information and processes to future local and non-resident business owners

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Partnering for success	Does not move away from resolution	

OTHER POLICY CONSIDERATIONS

The proposed amendments are consistent with the powers set out in the *Community Charter* and *Local Government Act*.

BUDGET CONSIDERATIONS

There are no financial impacts to the municipality as a result of the proposed bylaw amendments.

COMMUNITY ENGAGEMENT AND CONSULTATION T

The revised forms will be posted on the municipal website internal and external notification will be initiated.

SUMMARY

The change to the business licence form will improve the application process for our customers.

Respectfully submitted,

Sandra Smith
SUPERVISOR OF BYLAW SERVICES
for
Norm McPhail
GENERAL MANAGER OF CORPORATE AND COMMUNITY SERVICES



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-021

FROM: Corporate and Community Services

FILE: 4700

SUBJECT: PARKING AND TRAFFIC AMENDMENT BYLAW NO. 2041, 2014

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving first, second and third reading to Parking and Traffic Amendment Bylaw No. 2041, 2014

REFERENCES

None.

PURPOSE OF REPORT

The purpose of this report is to amend Parking and Traffic Amendment Bylaw No. 2041, 2014 by inserting section 3 (1) which pertains to winter parking regulations; and to delete section 11 and replace it with revised wording. The revised wording will amend the bylaw to be consistent with the addition of section 3 (1) with respect to “commercial vehicle” parking.

DISCUSSION

Staff respectfully request, that Council give consideration to Parking and Traffic Amendment Bylaw No. 2041, 2014. In October, 2009 Parking and Traffic Bylaw No. 1512, 2001 was amended for the Olympic Games. The winter parking regulation section was deleted; this allowed the RMOW to post special regulations during games time. This amending bylaw reinstates the winter parking regulations. Currently we are utilizing “posted regulations” for our authority to ticket.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Partnering for success	Partners work together to achieve mutual benefit	Parking regulations and enforcement are a critical part ensuring that snow clearing and road maintenance can occur during the winter.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Partnering for success	Does not move away from resolution	

OTHER POLICY CONSIDERATIONS

The proposed amendments are consistent with the powers set out in Section 124 of the *Motor Vehicle Act*.

BUDGET CONSIDERATIONS

There are no financial impacts to the municipality as a result of the proposed bylaw amendments.

COMMUNITY ENGAGEMENT AND CONSULTATION T

SUMMARY

This report outlines changes to Parking and Traffic Bylaw No. 1512, 2001 and recommends that Council give consideration to first, second and third reading to Parking and Traffic Amendment Bylaw No. 2041, 2014.

Respectfully submitted,

Sandra Smith
SUPERVISOR OF BYLAW SERVICES
for
Norm McPhail
GENERAL MANAGER OF CORPORATE AND COMMUNITY SERVICES



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-018

FROM: Resort Experience

FILE: 910 Sec. 0007

SUBJECT: Section 910 Exemption - 8488 Bear Paw Trail (Flood Proofing)

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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 8488 Bear Paw Trail; 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. 14-018, prepared by Exp Services Inc. and confirming that the property is safe for the use intended.

REFERENCES

Owners: Mathew and Courtney Woods

Location: 8488 Bear Paw Trail

Legal Description: Strata Lot 64,
Strata Plan BCS3125,
District Lot 7302

Current Zoning: CD1 (Comprehensive Development One)

Appendices: “A” Location Plan
“B” Engineers Report

PURPOSE OF REPORT

This report seeks Council’s consideration to grant an exemption to the flood proofing requirements at 8488 Bear Paw Trail in order to accommodate the construction of a new dwelling at this address.

DISCUSSION

History

The subject property is located on the West side of the Rainbow Subdivision, near the top of Bear Paw Trail adjacent to the fire truck turnaround. A tributary of Baxter Creek flows near the west corner of the parcel.

Current Proposal

The current proposal is for a detached dwelling to be located fully within the building envelope. Section 910 of the Local Government Act authorizes a local government to specify, by bylaw, flood proofing requirements including setbacks from watercourses and flood control levels. To that end, Part 5.4 of Zoning & Parking Bylaw 303, 1983 outlines flood proofing requirements throughout the valley. Applicable regulations in this case are:

1. A 15 m setback from the natural boundary of the tributary to Baxter Creek; and
2. That areas used for habitation or storage of goods be no lower than 1.5 metres above the natural boundary of the tributary to Baxter Creek.

This proposed detached dwelling is intended to be approximately 12 metres from the creek; the second requirement is met as the flood construction level will at 666.40 metres elevation which is 2.66 metres above the high water mark and above the required 1.5 metre flood protection requirement.

WHISTLER 2020 ANALYSIS

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

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

OTHER POLICY CONSIDERATIONS

Local Government Act

Section 910 (4) (b) authorizes Council to grant an exemption to the flood proofing requirements provided it has received a report from a professional geotechnical engineer certifying that the lands are safe for the use intended. To that end, RMOW staff is in receipt of a report from exp Services Inc. (Geotechnical Engineers) addressing flood proofing and geotechnical concerns consistent with legislated requirements. Staff recommends that this report be appended to a Section 219 Land Title Act restrictive covenant, to provide notice for any future owners.

BUDGET CONSIDERATIONS

There are no significant budget implications associated with this proposal. Section 910 Exemption application fees provide for recovery of costs associated with processing this application.

COMMUNITY ENGAGEMENT AND CONSULTATION

None required.

SUMMARY

This application is before Council for consideration to exempt 8488 Bear Paw Trail from the flood construction level requirement of Zoning Bylaw 303. Per the requirements of Section 910 of the

March 4, 2014

Local Government Act, a report in support of this application has been prepared by a Geotechnical Engineer. This report will be attached to the property title by way of a covenant.

Respectfully submitted,

Kevin Creery

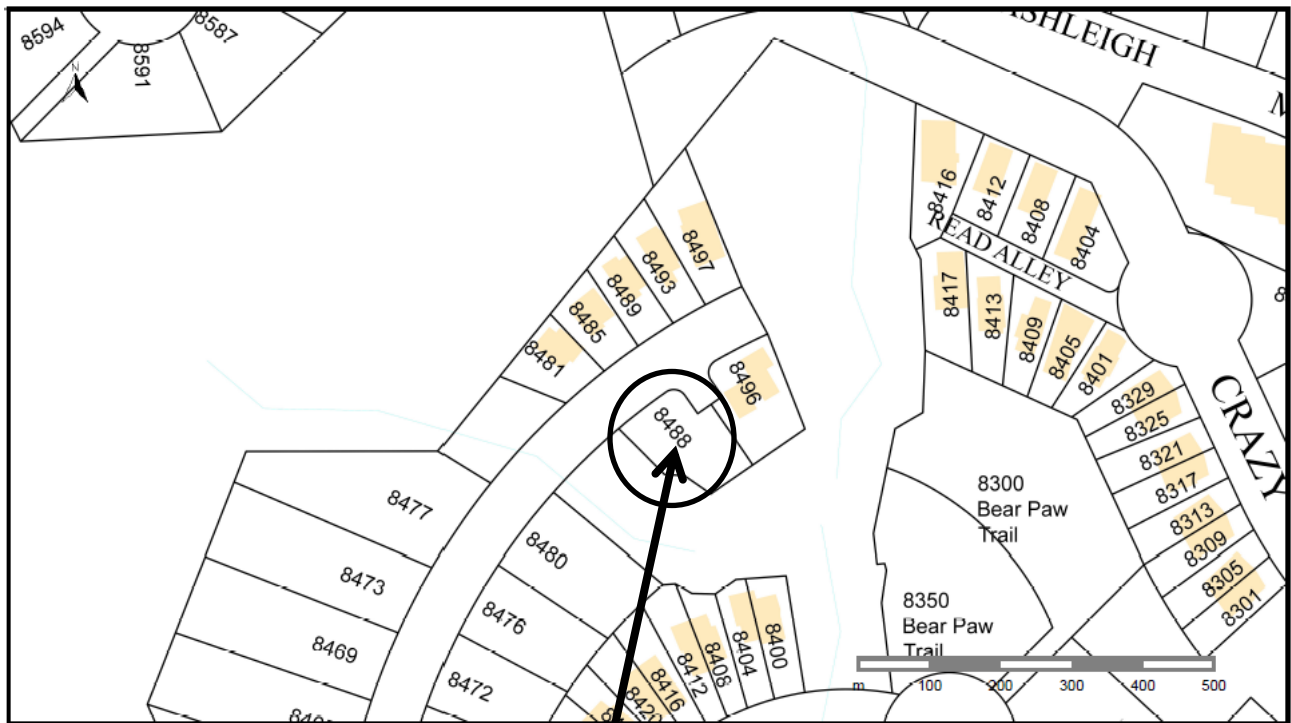
PLANNING ANALYST

for

Jan Jansen

GENERAL MANAGER of RESORT EXPERIENCE

Appendix A: Location Plan



Subject Property



January 24, 2014

VAN-00210621-A0

Coastal Mountain Excavation Ltd
1015 Millar Creek Road
Whistler, BC V0N 1B1

Email: Matt@coastalmountain.ca

Attention: Mr. Matt Woods

**Re: 8488 Bear Paw Trail - Lot 64 Rainbow Subdivision, Whistler, BC
Geotechnical Letter Re: Building Permit Application BP2897 Rev 2**

Dear Mr. Woods:

As requested, **Exp** Services Inc. (**exp**) is providing a revised letter in response to Building Permit Application BP2897 plan check review comments for the above noted address at the Rainbow Subdivision. This letter is a revision of our letter dated October 21, 2013. For purposes of this process, **exp** has conducted a site review of the relevant tributary creek/stream and a desktop review of DVAD Inc. site grading plan and high water mark survey by Doug Bush Survey Services Ltd. The revision to this letter is in response to further information provided by DVAD Inc. that indicates living space for the proposed residential building to be supported on posts that will be located about 13.9m from the high water mark. This information does not affect the lowest elevation for habitable space proposed for the site as described below.

The relevant creek/stream is situated to the west/southwest of the subject residential building and is understood to be one of the tributaries to Baxter Creek. There is an existing 2 tiered rock stack wall between the residential building and creek/stream that has been previously reviewed and approved by **exp**. When the site was visited on October 15, 2013, the creek/stream was dry with no evidence of any recent above ground water flow or any distinguishable water path or sediment build-up due to deposition from water flow.

From the recently completed Doug Bush survey, it can be seen that maximum adjacent high water mark has been denoted at El. 663.74 m. The proposed habitable floor elevation of the subject residential building is at El. 666.40 m, which is 2.66m above the high water mark, well above the understood flood protection requirement of 1.5m. As shown on the attached mark-up of the Doug Bush survey plan, the minimum setback for habitable space from high water mark of adjacent water course is 13.9m; however, this space is about 3m above grade at the location indicated. We understand that a roof overhang will bring parts of the building to within about 12m of the high water mark. We recommend that the foundations for posts located within 15m of the high water mark be surrounded by 300mm rip rap for scour protection. Given the habitable floor elevation above the high water mark, field observations, and review of the site grading plan, **exp** considers that the requirements of covenant

exp Services Inc.

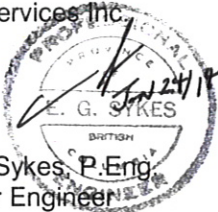
Building Permit Application BP2897 Rev 1
8488 Bear Paw Trail – Lot 64, Whistler, BC
Reference No.: VAN-00210621
January 24, 2014

BB1013507 for drainage and elevation of habitable space have been met from a geotechnical perspective and associated risk of flood impact/damage to the subject residential building is accordingly acceptably low.

We trust that this information is adequate for your present needs. Please do not hesitate to contact the undersigned if you should have any further inquiries on this matter.

Sincerely,

exp Services Inc.



Evan Sykes, P.Eng.
Senior Engineer

Reviewed by:

Ben Weiss, P.Eng.
Senior Engineer

cc: Derek Venter / DVAD Inc. e: dva@dvad.org



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2014

REPORT: 14-019

FROM: Resort Experience, CAO

FILE: RZ 1079

SUBJECT: ZONING AMENDMENT BYLAW (LR6 - 5678 ALTA LAKE ROAD) NO. 2039, 2014

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving first and second readings to Zoning Amendment Bylaw (LR6 Zone - 5678 Alta Lake Road) No. 2039, 2014; and further,

That Council authorize the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (LR6 Zone - 5678 Alta Lake Road) No. 2039, 2014 for April 1st, 2014 and to advertise for same in the local newspaper.

REFERENCES

Location: 5678 Alta Lake Road
Legal Description: Plan 14195, Lot B, District Lot 2246, Group 1
Owner: Resort Municipality of Whistler
Current Zoning: LR6 (Leisure Recreation 6) – *unique to this parcel*

Appendices: “A” Location Map

PURPOSE OF REPORT

To increase clarity regarding permitted uses in the LR6 zone, this rezoning amendment requests Council’s consideration regarding the proposed addition of ‘assembly’ and ‘concession’ as permitted uses within the LR6 zone – a zone that exists exclusively at the municipally-owned lands situated in 5678 Alta Lake Road (commonly known as the Old Hostel Site).

DISCUSSION

Background

In the early 1960’s, the site now known as 5678 Alta Lake Road was operated as a fishing lodge known locally as Cypress Lodge. In 1969, the Lodge was leased by Hostelling International (HI) and operated as the Whistler Youth Hostel. HI purchased the site outright in 1972 and continued to operate the youth hostel until the summer of 2010.

Hostelling International later sold the 5678 Alta Lake parcel to the RMOW and developed a new purpose-built 188-bed HI hostel located at 1035 Legacy Way, in the Cheakamus Crossing neighbourhood. The new HI hostel has been in successful operation since July of 2010.

Since 2010, the RMOW has managed the property at 5678 Alta Lake Road, continuing the residential rental arrangements on site as well as making the Lodge available to support the arts

and culture programming of the Pointe Artist Run Centre (PARC). In addition to the ongoing use of the site by PARC, the RMOW anticipates that the site will continue to be used to support arts and culture workshops, as well as learning and education initiatives similar to the art classes and literary/cultural activities hosted over the last few summers at both the Alta Lake Station house and the old hostel site.

Further, in addition to the ongoing and anticipated indoor activities noted above (i.e. arts and cultural workshops), the site also supports the current and ongoing usage of the Whistler Sailing Club, their courses, boat storage and annual events.

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

The current LR6 (Leisure Recreation 6) zone is unique to the 5678 Alta Lake parcel and permits a hostel, auxiliary dwelling units, auxiliary buildings, park and playground uses as well as detached dwellings.

Since the closure of the old hostel at this location, site activity in the Lodge has become less consistent, but in many ways there are currently ongoing periods of activity quite similar to historic levels and types of use. The kitchen is used less often than when the hostel was operating, but social community dinners are still hosted infrequently, but regularly by PARC. Similarly, while overall Lodge activity is less intense than it was during full hostel operations, scheduled art classes and activities and cultural workshops are still hosted regularly. Outdoor activity during the winter is modest, but summertime programming is consistent with both the art workshops as well as the recreational activity associated with the Sailing Club activities.

For all of the years that hostel was the primary use of this site, “assembly” and “concession” would have been considered permitted auxiliary uses to the hostel designation. However, now that there is no longer active hostel use on this site, staff are recommending that both “assembly” and “concession” are added to the list of permitted uses within the LR6 zone as independent and formally permitted uses (i.e. no longer tied as auxiliary uses to the ‘hostel’ use).

As such, this zoning amendment bylaw proposes to amend the current list of permitted uses to add (f), and (g) below:

- (a) auxiliary buildings and auxiliary uses;
- (b) auxiliary residential dwelling unit;
- (c) hostel;
- (d) park and playground;
- (e) detached dwelling;
- (f) **assembly**;
- (g) **concession**.

Within Zoning Bylaw 303, “assembly” means a gathering of persons for civic, cultural, charitable, entertainment, political, travel, religious, social, education, recreation and philanthropy in a building. Secondly, while not defined in Bylaw 303, “concession” is a common term used within Bylaw 303 and generally refers to a place where patrons can purchase snacks and/or food while at a venue or facility.

The proposed “assembly” and “concession” are uses that are (a) similar to the uses historically undertaken consistent with the permitted ‘hostel’ use, and (b) would have been considered permitted auxiliary uses to the primary hostel use of the site. The proposed rezoning clarifies these uses as permitted uses for the site and the existing building formerly used as the hostel.

The recommended amendment to the LR6 zone would not change the permitted density, height, parcel area, site coverage, setbacks, parking or other regulations applicable to this site.

WHISTLER 2020 ANALYSIS

Overall, the recommendation supports the Whistler 2020 strategies of arts, culture and heritage, economic, and built environment. In particular the recommendation is capable of moving Whistler toward the following Descriptions of Success.

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Arts, Culture and Heritage	Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy.	The zoning amendment will more clearly legitimize the assembly uses on the site, thereby supporting small arts and workshops and related initiatives.
Economic	Whistler has a diversified and year-round tourism economy.	
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses	The proposed zoning amendment improves the transparency and adapts the zoning at 5678 Alta Lake Road to better reflect the fact it is no longer being used primarily/exclusively as a hostel.

The proposed recommendation would move the community away from any of the Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

Official Community Plan

This rezoning amendment is supported by the land use designations included within the OCP, and is well within the Whistler Urban Development Containment Area (WUDCA).

Moreover, the proposed zoning amendment also supports key Objectives and policies contained within the Growth Management, Land Use and Development, and Quality of Life chapters of the OCP (see summary table below).

Objective/Policy	Comments
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 3.1.2.1 – Support flexibility, diversity, adaptability and efficiency in land use and development so the resort community can derive the greatest benefit from existing development.	The rezoning supports this Policy by providing increased clarity around the permitted uses allowed on this existing property.
Objective 3.2.1 – Reinforce Whistler’s mountain resort character, compact development pattern, social fabric, economic vitality and diversity.	
Policy 3.2.1.4 – Support land uses and development that contribute to a diversified tourism economy compatible with Whistler’s resort community character and values.	The increased clarity of the LR6 zone helps to promote compatible assembly and arts/culture initiatives on this site.
Objective 7.5.2. – Support improved access to post-secondary educational opportunities that enhance the resort community.	
Policy 7.5.2.1 – Support learning and post-secondary opportunities that complement the resort community.	The proposed recommendation has the potential to support learning and educational opportunities within the community.
Objective 7.8.1. – Support programs, partnerships and venues for furthering Whistler’s arts, culture and heritage sectors.	
Policy 7.8.1.2 – Promote arts, culture and heritage programming and venues to enhance tourism and recreational uses.	The increased clarity regarding the permitted uses in the LR6 zone has the potential to support compatible learning and/or arts programming initiatives.
Objective 7.8.1. – Increase opportunities for education, participation and enjoyment of arts, culture and heritage for residents and visitors.	
Policy 7.8.1.2 – Support non-profit and private-sector efforts to increase arts, culture, and heritage opportunities.	The increased clarity regarding the permitted uses in the LR6 zone has the potential to support compatible learning and/or arts programming initiatives.

BUDGET CONSIDERATIONS

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

COMMUNITY ENGAGEMENT AND CONSULTATION

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

Zoning Amendment Bylaw (5678 Alta Lake Road – Zoning Amendment) No. 2039, 2014 will be subject to a public hearing adhering to statutory public notice requirements. Public notice will include advertising in the local papers for two consecutive weeks, as well as notification letters being mailed and distributed to neighbouring property owners in advance of the public hearing.

SUMMARY

This report presents Zoning Amendment Bylaw (LR6 Zone - 5678 Alta Lake Road) No. 2039, 2014 for Council consideration of first and second reading.

Respectfully submitted,

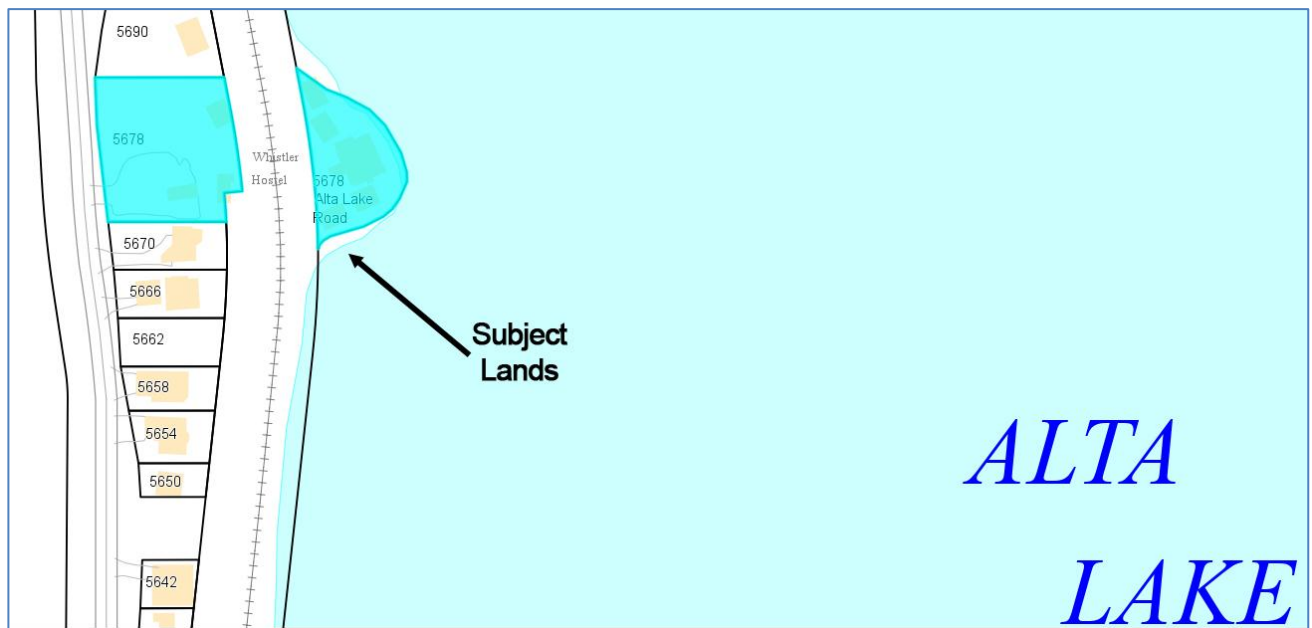
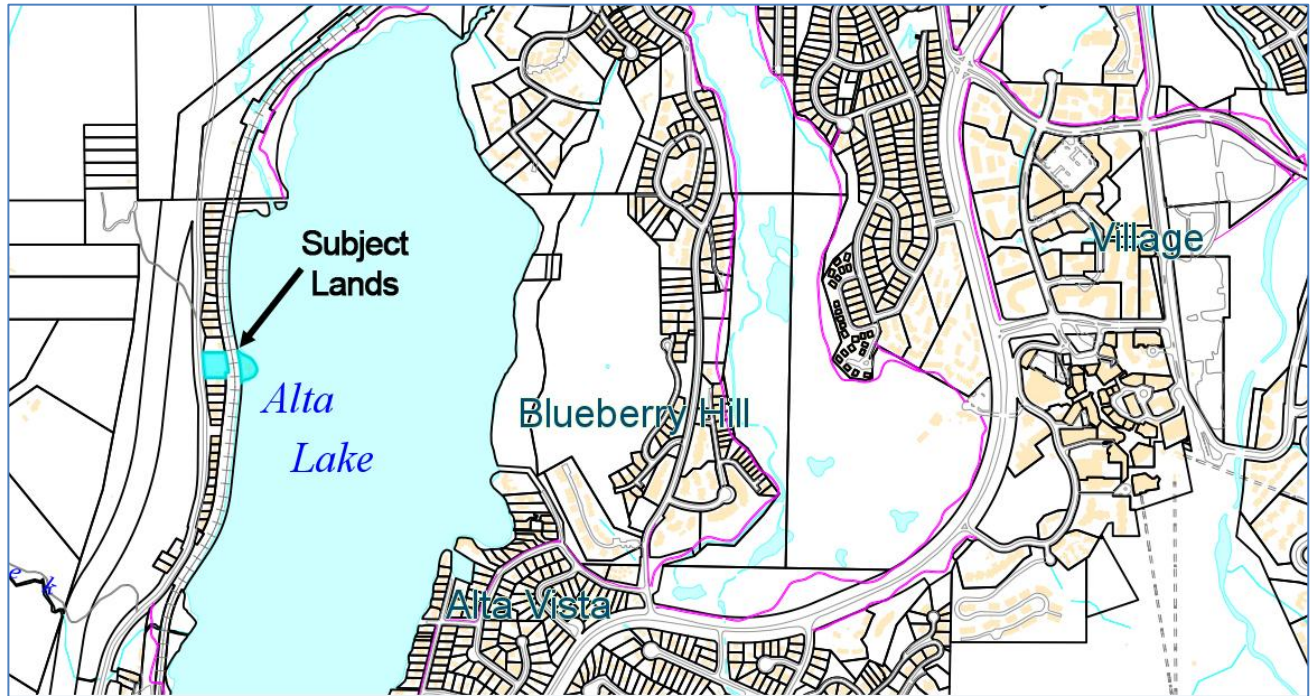
Ted Battiston
Manager of Special Projects,
CHIEF ADMINISTRATOR'S OFFICE

and

Mike Kirkegaard
Director of Planning
RESORT EXPERIENCE

for
Jan Jansen
General Manager,
RESORT EXPERIENCE

APPENDIX A LOCATION MAP





REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 4, 2013

REPORT: 14-020

FROM: Environmental Stewardship

FILE: 800.1

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

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, second and third reading to Municipal Ticking Information System Implementation Amendment Bylaw No. 2002, 2012.

REFERENCES

None.

PURPOSE OF REPORT

The purpose of the Municipal Ticket Information System Implementation Amendment Bylaw No. 2002, 2012 is to add the ticketable offenses for the Environmental Protection Bylaw No. 2000, 2012 to the Municipal Ticket Information System Implementation Bylaw No. 1719. 2005 and revise the title sections of the schedules.

DISCUSSION

Council has given three readings to the new Environmental Protection Bylaw No. 2000, 2012. It is also required to add the ticketable offenses to the Municipal Ticket Information System. The offenses were developed with assistance from Bylaw Services and can be found in the attached appendix. This step allows designated bylaw enforcement officers to issue tickets related to infractions against the Environmental Protection Bylaw No. 2000, 2012.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Natural Areas	Developed and recreation areas are designed and managed to protect as much of the natural environment within and around them as possible	The bylaw provides a tool to manage certain activities and protect the natural environment.
Water	Healthy streams, rivers, lakes and wetlands support thriving populations of fish, wildlife and aquatic invertebrate	The bylaw prohibits polluting or obstructing streams and drainage works.

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

OTHER POLICY CONSIDERATIONS

Adding the ticketable offenses for the Environmental Protection Bylaw No. 2000, 2012 completes the process to enable the bylaw which supports policies related to protection of the natural environment in the OCP.

During the consolidation and referencing process of Bylaw 1719, it was found that Section "B15" was labelled twice, as well as the bylaws referenced in relation to specific section fines were the headers of each section, and not Bylaw 1719. This may have confused any reference to the Bylaw 1917, therefore revising the headings and renaming the second "B15" section to "B17" remedies any referencing issues.

BUDGET CONSIDERATIONS

There are no additional budget resources required.

COMMUNITY ENGAGEMENT AND CONSULTATION

An open house regarding the Environmental Protection Bylaw No. 2000, 2012 was held on January 20, 2014 at Myrtle Philip School, and an information package added to the RMOW website.

<http://www.whistler.ca/environmental-protection-bylaw>

An information letter was sent in January to landscape, tree management, and property management companies, contractors, BC Hydro, BC Society of Landscape Architects, and the Whistler Housing Authority alerting them to the upcoming Bylaw and providing links to find more information at whistler.ca.

Information regarding the ticketable offenses was displayed at the open house, and is included in the bylaw found on the website.

SUMMARY

Completing the MTI amendment bylaw is necessary to legally enforce the new Environmental Protection Bylaw No. 2000, 2012.

Respectfully submitted,

Heather Beresford
ENVIRONMENTAL STEWARDSHIP MANAGER
for
Jan Jansen
GENERAL MANAGER RESORT EXPERIENCE



WHISTLER

MINUTES

REGULAR MEETING OF FOREST & WILDLAND ADVISORY COMMITTEE

WEDNESDAY, JAN. 8, 2014, STARTING AT 3:00 P.M.

In the Flute Room

4325 Blackcomb Way, Whistler, BC V0N 1B4

PRESENT:

Meetings to Date: 1

John Hammons	1
Kurt Mueller	1
Ken Melamed, WORCA	1
Bryce Leigh, AWARE	1
Johnny Mikes	

Recording Secretary, Heather Beresford	1
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REGRETS:

Peter Ackhurst, CCF	0
Rob Davis	0
Chair, Gordon McKeever	0
Bob Brett	0
Candace Rose-Taylor	0
Councilor Jayson Faulkner	0

RECOMMENDATION TO COUNCIL: FWAC recommends that staff consider sending a letter to Recreation Sites & Trails BC requesting the RMOW receive referrals on future recreation projects.

RECOMMENDATION TO COUNCIL: FWAC recommends that RMOW consider contacting BC Parks to discuss a winter opening of Brandywine Park parking lot.

Ken Melamed approved as Chair for the meeting.

ADOPTION OF AGENDA

Moved by JH

Seconded by BL

That the Forest & Wildland Advisory Committee adopt the Forest & Wildland Advisory Committee agenda of January 8, 2014.

CARRIED

ADOPTION OF MINUTES

Moved by JH

Seconded by KM

That the Forest & Wildland Advisory Committee adopt the Regular the Forest & Wildland Advisory Committee minutes of October 9, 2013.

CARRIED

PRESENTATIONS/DELEGATIONS

3. Updates

Council:

- Councilor Faulkner absent but FWAC acknowledged Council's refusal to rezone the Whistler International Campus. Suggestion that a future meeting, FWAC consider recommending that a permanent protection be placed on the property.
- Garibaldi Park Management Plan amendment still not released.
- Garibaldi at Squamish – province closed comment period on January 7, 2014. Water source is an outstanding issue.

AWARE:

- Still concern over approval process and route of new trail from RV Park to main Brandywine snowmobile trail.

RECOMMENDATION TO COUNCIL: FWAC recommends that staff consider sending a letter to Recreation Sites & Trails BC requesting the RMOW receive referrals on future recreation projects.

WORCA:

- No new activity.

RMOW:

- Trail Planning Working Group – working on trail signs, preparing for 2014 work season
- RMOW hired Cascade Environmental Resource Group to develop an integrated plan for the CCF
- Old Forest Plan workshop held December 5. Draft OGMA's and EBM reserves will see further refinement through Integrated Plan process.
- Elect new FWAC chair – unanimous vote for Gordon McKeever to continue.

Cheakamus Community Forest:

- Peter away.
- Carbon project in verification phase.
- 2014 proposed harvesting plan being developed. Tom to present at February FWAC meeting.

4. Brandywine Provincial Park Parking Lot

A discussion was led by John Hammons and Kurt Mueller regarding the Brandywine Provincial Park parking lot winter access.

Brandywine Provincial Park parking lot is closed in winter. Concern raised that it is a popular tourist destination and it would be beneficial to corridor tourism that it be opened in the winter. Would require snow clearing, toilet maintenance and possible raising barrier heights at certain locations due to

snow depth.

RECOMMENDATION TO COUNCIL: FWAC recommends that RMOW consider contacting BC Parks to discuss a winter opening of Brandywine Park parking lot.

5. Coast to Cascades Grizzly Bear Initiative

A presentation by Johnny Mikes was given regarding the Coast to Cascades Grizzly Bear Initiative and a discussion was held.

The initiative includes a variety of provincial conservation groups and First Nations concerned about the extirpation of grizzly bears in BC. Initiative focuses on southern grizzly bear range: south Chilcotin, Squamish Lillooet, Stein Nahatlatch, North Cascades, and Garibaldi Pitt. Sea to Sky LRMP called for recovery of grizzlies in its area.

There are 50,000 grizzlies in North America, and 15,000 in BC. Habitat fragmentation and access are big issues.

What can be done?

- Control access
- Stronger partnerships and planning with forestry on how to harvest in a way that supports berry production
- Stop killing them by hunting
- Protect particularly important habitat areas

Goal is to prepare a long term plan, and create a self-sustaining population.

6. Other Business

New/Other Business & Upcoming Agenda Items:

- CCF Draft 2014 harvesting plans - February
- Edna Creek Bridge – concern raised that FWAC opposed this bridge prior to other information coming to light. Add as agenda item to future meeting for discussion. (John H.)
- Brandywine03 – needs further discussion (John H.)

ADJOURNMENT

Moved by KM

That the Forest & Wildland Advisory Committee adjourn the January 8, 2014 meeting at 4:43 p.m.

CARRIED


CHAIR: Ken Melamed

RESORT MUNICIPALITY OF WHISTLER
BUSINESS LICENCE AMENDMENT BYLAW NO. 2040, 2014
A BYLAW TO AMEND BUSINESS LICENCE BYLAW NO. 567, 1987

WHEREAS Section 363 of the *Local Government Act* allows Council to impose fees or charges in respect of exercising a regulating authority:

AND WHEREAS Section 15 of the *Community Charter* allows Council to regulate and licence business within the Municipality;

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 "Business Licence Amendment Bylaw No. 2040, 2014"
2. Business Licence Bylaw No. 567, 1987 is hereby amended by:
 - a. Deleting Schedule "B" and replacing it with Schedule "B" attached to and forming part of this Bylaw.

GIVEN FIRST, SECOND AND THIRD READINGS this _____ day of _____, 2014.

ADOPTED by Council this _____ day of _____, 2014.

Nancy Wilhelm-Morden
Mayor

Shannon Story
Corporate Officer

I HEREBY CERTIFY that this is
a true copy of "Business Licence
Amendment Bylaw No. 2040, 2014"

RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (LR6 ZONE – 5678 ALTA LAKE ROAD) NO. 2039, 2014

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

WHEREAS Council may, in a zoning bylaw, pursuant to Sections 903 and 906 of the *Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the 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 (LR6 Zone – 5678 Alta Lake Road) No. 2039, 2014”
2. The lands which are the subject of this Bylaw are:

Plan 14195, Lot B, District Lot 2246, Group 1
legally described as PID: 007-898-461
as shown outlined on the sketch plan attached as Schedule 1 to this bylaw
3. Section 10 of Zoning and Parking Bylaw No. 303, 1983 is amended by adding, “assembly;” and “concession.” as subsections (f) and (g) within Section 8.1 under the heading “Permitted Uses”

GIVEN FIRST AND SECOND reading this ____th day of _____, 2014.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this ____th day of _____, 2014

GIVEN THIRD READING this ____th day of _____, 2014

APPROVED by the Minister of Transportation and Infrastructure this ____th day of _____, 2014

ADOPTED by the Council this ____th day of _____, 2014

Nancy Wilhelm-Morden
Mayor

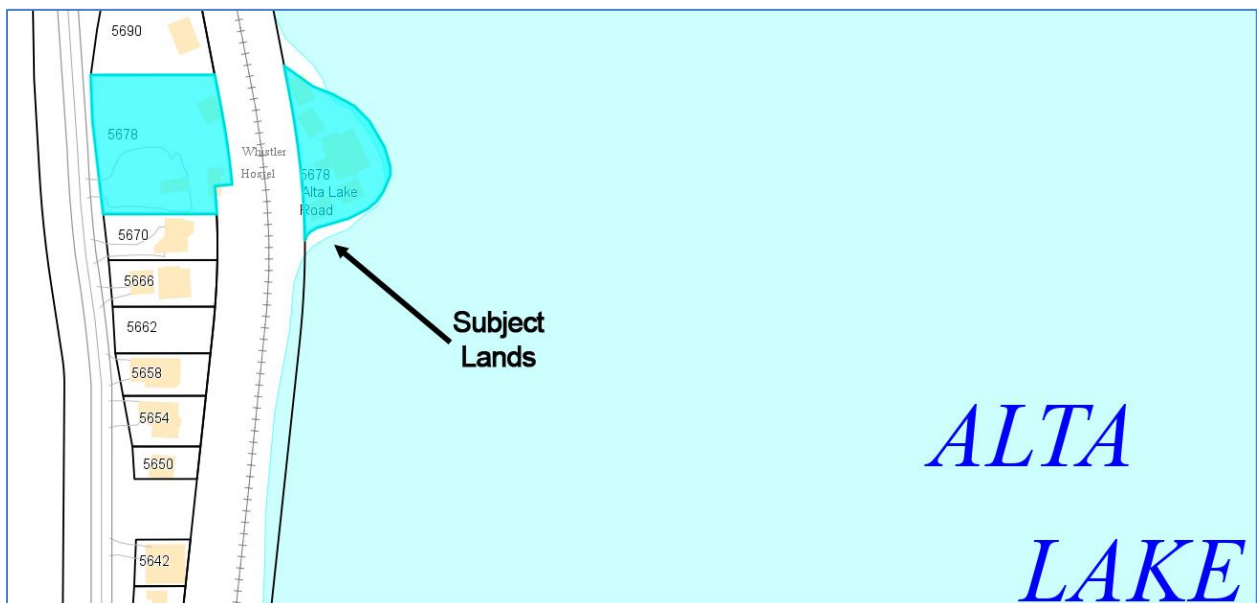
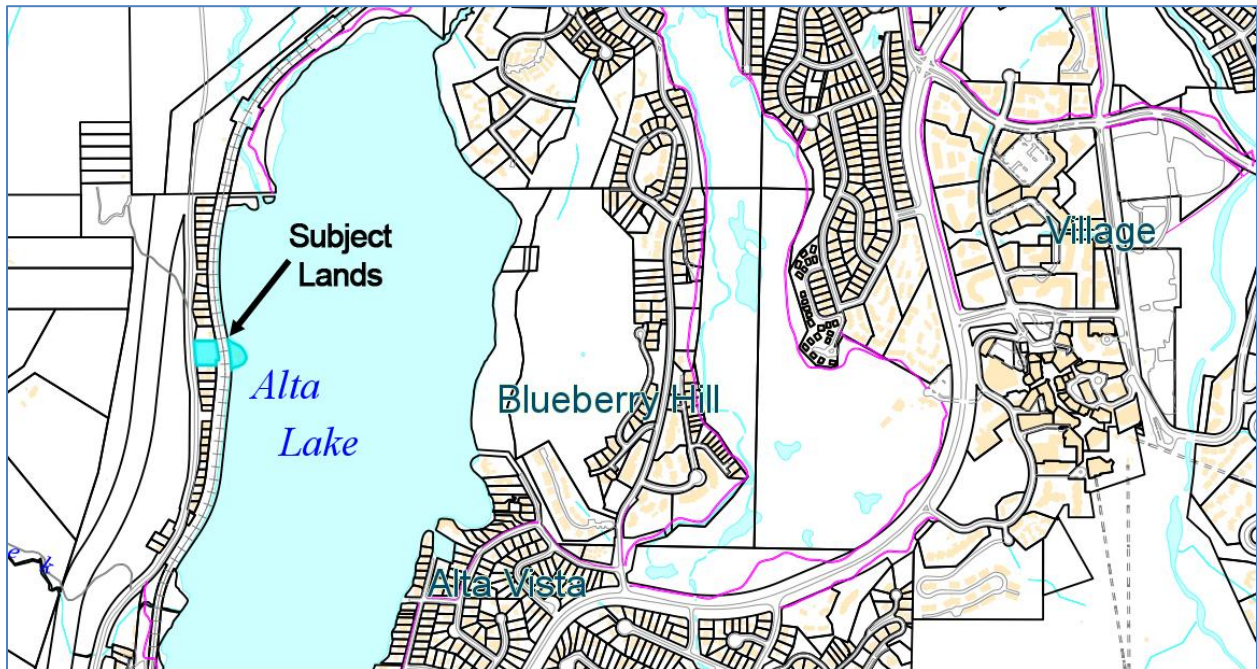
Shannon Story
Corporate Officer

I HEREBY CERTIFY that this is a true copy of “Zoning Amendment Bylaw (LR6 ZONE – 5678 ALTA LAKE ROAD) NO. 2039, 2014”

Shannon Story
Corporate Officer

SCHEDULE 1

Subject Lands
“Zoning Amendment Bylaw (Lands North Library Amendments) No. 2026, 2013”





BUSINESS LICENCE APPLICATION FORM

Businesses operating in Whistler are required to have a valid business licence. The information requested in this application form is necessary to fully evaluate your request for a licence. Completion of this form does not guarantee approval of a business licence. Standard applications may be processed within five working days. More complex applications may take additional time.

TYPE OF APPLICATION

- ☐ New
- ☐ Change to existing business licence number _____

TYPE OF BUSINESS & LOCATION

- ☐ Resident – located in Whistler and operating from the following **commercial** location:

- ☐ Non-resident – doing business in Whistler but based outside of Whistler at this location:

- ☐ Home occupation – business operating from a residential location in Whistler
(including massage practitioner operating as a contract worker) at the following **home** address:

Is your business registered with the Province of British Columbia? Yes No

If yes, please provide copy of registration documents and CCRA Business number _____

INFORMATION

Name of business _____

Business description _____

Mailing address _____

Business telephone _____

E mail _____

Business Owner _____

Telephone _____ Cell _____

E mail _____

Schedule "B"
Business Licence Amendment Bylaw No. 2040,2014

RESIDENT BUSINESS OWNERS OPERATING IN A COMMERCIAL SPACE

Building and Fire Code inspections must be conducted as part of the licence approval process. If you are leasing a space and plan on making any alterations, you must apply for a building permit and receive an occupancy permit before we will issue your business licence.

Opening in an existing improved space? The Building Department and Fire Department will still inspect to ensure that the premises match the building plans on file, and that the space meets current BC Building and Fire Codes.

✓ Please provide a copy of your lease agreement with this application.

HOME OCCUPATION APPLICANTS

Business operations must comply with the Zoning and Parking Bylaw No. 303, 1983 regulations for home occupation use:

- a) Alterations are not made to any building in a residential zone to indicate it is being used for any purpose other than its principal use;
- b) The maximum number of persons who do not normally occupy the dwelling unit engaged in home occupation use is one;
- c) No products or materials are stored outside of a principal building and auxiliary building; and
- d) No products or materials are sold from a home occupation use which is located in a residential zone.

If you live in a strata property, we require proof of approval by providing a signed strata waiver form.

The RMOW reserves the right to suspend or cancel a business licence where the applicant has knowingly provided false information to the RMOW regarding the operation, ownership or any other aspect of the business in question.

I _____ hereby make application for a licence in accordance with all of the information as above stated and declare that this is a true and correct statement; the information may be shared in accordance with the Freedom of Information Act and further agree to comply with all the relevant bylaws of the Resort Municipality of Whistler. **I understand that I cannot commence business until such time as a business licence has been approved and issued.**

Name of Applicant _____ Position in Business _____

Signature _____ Date _____

All licences will expire annually on 31 of December of each year. The annual fee in the first year will be pro-rated based on the business start date. Upon licence approval, we will send you an invoice for the licence fee. Your business licence will be processed after we receive payment for the licence fees.

RESORT MUNICIPALITY OF WHISTLER

PARKING AND TRAFFIC AMENDMENT BYLAW NO. 2041, 2014

A Bylaw to amend Parking and Traffic Bylaw No. 1512, 2001

WHEREAS the Council of the Resort Municipality of Whistler has adopted Parking and Traffic Bylaw No. 1512, 2001; and

WHEREAS the Council of the Resort Municipality of Whistler deems it necessary and expedient to amend Parking and Traffic Bylaw No. 1512, 2001;

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

1. This Bylaw may be cited as “Parking and Traffic Amendment Bylaw No. 2041, 2014”.

2. Parking and Traffic Bylaw No. 1512, 2001 is amended by:

(a) Inserting the following subsection 3(i):

3(i) Between the hours of 9 a.m. to 5 p.m. local time inclusive, on Monday to Friday, except for statutory holidays, from November 1st of each year to March 31st of the succeeding year, on that side of any highway assigned even building numbers in the Municipality’s building numbering bylaw, unless permitted by a traffic control device;

(b) Deleting Section 11 and replacing it with:

The exception in paragraph 10(c) does not apply if Section 3(h) of this bylaw prohibits parking at the applicable time or location

GIVEN FIRST, SECOND AND THIRD READING this ____ day of _____ 2014.

ADOPTED this ____ day of _____, 2014.

Nancy Wilhelm-Morden, Mayor

Shannon Story, Corporate Officer

I HEREBY CERTIFY that this is a true copy of “Parking and Traffic Amendment Bylaw No. 2041, 2014”

RESORT MUNICIPALITY OF WHISTLER

**MUNICIPAL TICKET INFORMATION SYSTEM IMPLEMENTATION AMENDMENT
BYLAW NO. 2002, 2012**

**A BYLAW TO AMEND MUNICIPAL TICKET INFORMATION
SYSTEM BYLAW NO. 1719, 2005**

WHEREAS The Council of the Resort Municipality of Whistler has the authority pursuant to Section 8(3)(j) of the *Community Charter* to enact bylaws that provide for the protection of the environment, which includes watercourse protection;

WHEREAS The Council of the Resort Municipality of Whistler has the authority pursuant to Section 8 (3) (j) and (k) of the *Community Charter* to enact bylaws for the control and eradication of alien invasive species;

WHEREAS The Council of the Resort Municipality of Whistler has the authority pursuant to Section 8(3)(c) of the *Community Charter* to enact bylaws for trees;

AND WHEREAS Council desires to protect the environment;

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 the "Municipal Ticket Information System Amendment Bylaw No. 2002, 2012".
- 2) The Schedules to Municipal Ticket Information System Implementation Bylaw No. 1719, 2005 shall be amended as follows:
 - A. Schedule "A" is deleted and replaced with Schedule "A" attached to and forming part of this Bylaw.
 - B. Schedule "B18" is added to and forming part of this Bylaw.
 - C. Schedule "B15" that refers to pesticide use should be renamed as Schedule "B17."
 - D. Schedules "B1", "B2", "B3", "B4", "B5", "B8", "B9", "B10", "B11", "B12", "B14", "B15", "B16", and "B17" have the heading "Municipal Ticket Information System Implementation Bylaw No. 1719, 2005" added below the schedule section.

GIVEN FIRST, SECOND and THIRD READINGS this ____ day of _____, 2014.

ADOPTED this ____ day of _____, 2014.

Nancy Wilhelm-Morden
Mayor

Shannon Story
Corporate Officer

I HEREBY CERTIFY that this is a
true copy of the "Municipal Ticket
Information System Implementation
Amendment Bylaw No. 2002,
2012"

Shannon Story
Corporate Officer

SCHEDULE A – ENFORCEMENT OFFICERS

Municipal Ticket Information System Implementation Bylaw No. 1719, 2005

COLUMN 1 Designated Bylaws	COLUMN 2 Designated Bylaw Enforcement Officer
"Building and Plumbing Regulation Bylaw No. 1617, 2002" as amended	Building Inspector Senior Building Inspector Plumbing Inspector Supervisor of Bylaw Services Bylaw Enforcement Officer
"Whistler Animal Control Bylaw No. 1555, 2001" as amended	Animal Control Officer Supervisor of Bylaw Services Bylaw Enforcement Officer Conservation Officer Service
"Business License Bylaw No.567, 1987" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Business License Inspector
"Sign Bylaw No. 588, 1987" as amended	Bylaw Enforcement Officer Supervisor of Bylaw Services
"Noise Control Bylaw No. 1660, 2004" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Royal Canadian Mounted Police Officer
"Fire Protection and Fireworks Bylaw No. 1595, 2004" as amended	Fire Chief Supervisor of Bylaw Services Assistant Fire Chief Fire Fighter/Inspector Bylaw Enforcement Officer
"Parks Bylaw No. 1526, 2002" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Animal Control Officer Royal Canadian Mounted Police Officer
"Garbage Disposal and Wildlife Attractants Bylaw No., 1861, 2008"	Supervisor of Bylaw Services Bylaw Enforcement Officer Conservation Officer Service Royal Canadian Mounted Police
"Property Maintenance Bylaw No. 810, 1990"as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer
"Water Use Regulation Bylaw No. 1538, 2001" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer
"Skateboard and Bicycle Bylaw No. 933, 1992" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Royal Canadian Mounted Police Officer
"Business Regulation Bylaw No. 739, 1989" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer
"Nuisance Bylaw No. 305, 1983" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Royal Canadian Mounted Police Officer
"Pesticide Use Regulation Bylaw No. 1822, 2007"	Supervisor of Bylaw Services Bylaw Enforcement Officer

"Firearms Regulation Bylaw No. 874, 1991" as amended	Supervisor of Bylaw Services Bylaw Enforcement Officer Conservation Officer Royal Canadian Mounted Police
"Environmental Protection Bylaw No. 2000, 2012"	Supervisor of Bylaw Services Conservation Officer Service Bylaw Enforcement Officers

SCHEDULE B18

Municipal Ticket Information System Implementation Bylaw No. 1719, 2005

Environmental Protection Bylaw No. 2000, 2012

DESIGNATED EXPRESSION	SECTION	FINE
Cause or permit discharge of polluting substance	4.1 (a)	\$250
Cause or permit obstruction of flow	4.1 (b)	\$250
Cut or damage applicable tree	7.1	\$1000
Failure to post valid permit	9.6	\$250
Failure to comply with notice	12.1	\$250
Failure to comply with a permit condition	14.1	\$250

RESORT MUNICIPALITY OF WHISTLER

ENVIRONMENTAL PROTECTION BYLAW NO. 2000, 2012

A BYLAW TO PROTECT STREAMS AND TREES WITHIN THE RESORT MUNICIPALITY OF WHISTLER

WHEREAS The Council of the Resort Municipality of Whistler has the authority pursuant to the *Community Charter* to enact bylaws that regulate, prohibit and impose requirements in relation to trees, and the protection of the natural environment, and in so doing to provide for a system of licences, permits or approvals;

AND WHEREAS Council desires to protect the environment;

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

1. TITLE AND REPEAL

1.1 This bylaw may be cited for all purposes as “Environmental Protection Bylaw No. 2000, 2012”.

1.2 Resort Municipality of Whistler Rural Tree Protection Bylaw No. 1038, 1994 is repealed.

2. DEFINITIONS

2.1 In this bylaw:

arborist means a person certified by the International Society of Arboriculture as an arborist or master arborist;

certified tree assessor means a person who has completed a course that is recognized by Worksafe BC in identifying dangerous or hazardous trees;

cut down or cutting includes the topping of a tree and the removal of any branch or trunk of a tree;

damage means to alter a tree or its immediate growing environment in a manner that in the opinion of an arborist is detrimental to its present or future health and development;

dangerous goods means any product, substance or organism included by its nature or by the regulations in any of the classes listed in the Schedule to the Transportation of Dangerous Goods Act (Canada);

deleterious substance means

- a) any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water, or
- b) any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water;

drainage works means culverts, ditches, drains, rip rapped channels, and storm sewer systems, which discharge into, or collect, constrain or divert, a stream;

General Manager means the General Manager of the Resort Municipality of Whistler Resort Experience Department or designate;

hazardous means a tree identified by an arborist as being, or likely to become in the immediate future, a danger to people or property;

hazardous product means any product, material or substance specified in the regulations made pursuant to paragraph 15(1)(a) of the Hazardous Products Act (Canada);

high water mark means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

leakage means the escape of a fluid or a substance from a container or from a confined area into the environment;

parcel means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

polluting substance means:

- a) pesticides, fertilizers, soaps, detergents, household or commercial grade cleaning compounds, paints, solvents, chemicals, or waste oil;
- b) any material or substance that is a hazardous product, toxic substance, deleterious substance, dangerous good or reportable substance
- c) any sediment, rock, gravel, sand, clay, silt, earth, construction or excavation wastes, cement, concrete, or exposed aggregate wash water; and
- d) water, liquids and substances having a temperature higher than 65 degrees Celsius;

Qualified Environmental Professional means an applied scientist or technologist, acting alone or together with another qualified environmental professional to prepare a report if:

- a) the individual is registered and in good standing in British Columbia with a recognized professional organization, acting under that association's code of ethics and subject to disciplinary action by that association;
- b) the individual's area of expertise is recognized as one that is acceptable for the purpose of providing all or part of a report in respect of the particular development proposal that is being assessed; and
- c) the individual is acting within that individual's area of expertise;

reportable substance means a substance, product, material or other thing listed in Column 1 of the Schedule to the Spill Reporting Regulation under the Environmental Management Act;

stem means the main ascending body of a plant, shrub or tree;

stream means any of the following:

- a) a watercourse, whether it usually contains water or not, including an ephemeral wetland;
- b) a pond, lake, river, creek or brook;
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b);

toxic substance means a substance causes the following if it enters or may enter the environment in a quantity or concentration or under conditions that

- (a) have or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- (b) constitute or may constitute a danger to the environment on which life depends; or
- (c) constitute or may constitute a danger in Canada to human life or health.

tree means any living, erect, woody plant that is fifteen (15) centimetres or more in diameter measured 1.4 metres from the base of the stem;

Tree Cutting Permit means a permit issued pursuant to this Bylaw;

wildfire urban interface means an area such that a wildfire directly influences with flames and firebrands the potential ignition of the structures within that area.

PART A: STREAMS AND DRAINAGE WORKS

3. APPLICABILITY

3.1 This Part applies to streams and drainage works.

4. PROHIBITION

4.1 No person shall:

- a) Cause or permit the discharge or leakage of a polluting substance into a stream or drainage works;
or
- b) Cause or permit obstruction or impediment to the flow of a stream or drainage works.

5. EXEMPTIONS

5.1 Notwithstanding section 4, it is permitted to conduct:

- a) emergency works and services including emergency flood management during a state of emergency proclaimed by the Province, the Resort Municipality or the Squamish-Lillooet Regional District;
- b) in-stream and other works authorized by permit under the Water Act.

PART B: TREES

6. APPLICABILITY

6.1 This Part applies to trees that are:

- a) located within 20 metres of Highway 99 right of way;
- b) identified as heritage trees in Schedule A; or
- c) designated to be retained by a covenant granted to the Resort Municipality under the Land Title Act, if the covenant requires the owner of the land to obtain permission from the Resort Municipality to cut or damage the tree.

7. PROHIBITION

7.1 No person whether or not that person is the owner, occupier or authorized agent of land shall cause or permit a tree on that land to be cut down or damaged unless the work is authorized by a Tree Cutting Permit.

8. EXEMPTIONS

8.1 Notwithstanding section 7, it is permitted to cut down or damage trees without a Tree Cutting Permit, in the following circumstances:

- a) cutting of a tree that is authorized by a development permit issued by the Resort Municipality that has not lapsed;
- b) emergency removal of hazardous trees or limbs, provided that the person who removes the tree or limb reports the work to the General Manager within one business day of the work being performed, provides evidence satisfactory to the General Manager that the tree or limb was hazardous, and replaces any tree that has been removed in accordance with the General Manager's requirements;
- c) cutting of trees ordered by the Resort Municipality;

- d) cutting of trees required by the Resort Municipality wildfire management program;
- e) fire-fighting activities by the Resort Municipality Fire Services or the Province of B.C.;
- f) trees on land on which forestry practices are governed by a tree farm licence, permit or other authority or tenure under the Forest Act, unless the land is subject to a covenant granted to the Resort Municipality under the Land Title Act that restricts or prohibits the cutting of the trees;
- g) trees on land to which section 21 of the Private Managed Forest Land Act applies, unless the land is subject to a covenant granted to the Resort Municipality under the Land Title Act that restricts or prohibits the cutting of the trees; or
- h) tree cutting or removal that is undertaken by a utility, on land owned or held by the utility, and done for the purpose of safety, maintenance or operation of the utility's infrastructure.

9. TREE CUTTING PERMITS

9.1 The General Manager may prescribe the form of the tree cutting permits and tree cutting permit applications.

9.2 Upon receipt of a complete application for a tree cutting permit, the General Manager or a designate may:

- a) refuse to issue the permit if it does not comply with the requirements of this Bylaw;
- b) issue a permit subject to conditions, including a condition that any tree that is cut down be replaced with a tree or trees of a size and species and at such locations as the General Manager or his designate may specify, and a condition that the site of the work be restored to a condition that is not subject to erosion and that is conducive to the regrowth of natural vegetation.

9.3 The General Manager shall issue a Tree Cutting Permit authorizing the cutting of a tree described in section 6.1 in the following circumstances:

- a) the tree is, or is likely to become in the immediate future, a danger to people or property, or to cause structural damage to property;
- b) the tree is dying or is diseased and beyond expectation of recovery;
- c) the tree interferes with the installation of services to land or improvements and there is no reasonable alternative location for the services;
- d) the cutting of the tree is required to construct a building at a location that is permitted by the Zoning and Parking Bylaw, a development variance permit or a board of variance order, or to provide a reasonable amount of horizontal or vertical clearance around such a building;
- e) the cutting of the tree is required to manage a wildfire hazard in the wildland urban interface; or
- f) the cutting of the tree is sought to improve a view or sunlight access and does not impair the character of a forest environment.

9.4 The General Manager shall not issue a Tree Cutting Permit authorizing the cutting of a tree described in section 6.1 for no other reason than that:

- a) the tree causes the accumulation of needles in building gutters;
- b) the tree causes or promotes the growth of moss on a roof;
- c) the tree or its roots interfere with the maintenance of a lawn;
- d) a neighbour has requested the removal of the tree; or
- e) the removal of the tree would improve reception of satellite television signals.

9.5 The General Manager shall issue a Tree Cutting Permit authorizing the removal of a tree described in section 6.1(c) if the cutting of the tree and the conditions in the permit are in accordance with the terms of the covenant, and if the terms of the covenant do not require the Resort Municipality to authorize the removal of the tree, then the General Manager's decision shall be governed by sections 9.3 and 9.4.

9.6 No person shall carry out any work authorized by a Tree Cutting Permit unless the valid permit is posted on the land in the vicinity of the work while the work is proceeding.

9.7 A Tree Cutting Permit expires one year after it is issued.

9.8 An applicant for a Tree Cutting Permit must pay an application fee of \$125.

9.9 If an application pertains to a tree any portion of whose stem is on a property boundary, the owners of both properties must sign the application.

9.10 If it is impractical to plant a replacement tree on a parcel in respect of which a Tree Cutting Permit is issued, the General Manager may require the Owner to pay to the Resort Municipality a cash amount in lieu of replacement of the tree, equal to the estimated cost of supply and installation of the tree by a landscape contractor operating in the Resort Municipality, and all such cash amounts shall be placed in a reserve fund and used by the Resort Municipality to plant trees in public areas.

10. SECURITY DEPOSIT

10.1 The RMOW may require a security deposit for all replacement trees and site restoration measures that may be required as terms and conditions in the permit.

10.2 The security shall be in the form of a cash deposit or irrevocable letter of credit drawn upon a chartered bank in a form acceptable to the Resort Municipality.

10.3 The amount of security shall be 135 percent of the value of all replacement trees and site restoration measures required by the Resort Municipality, as estimated by a landscape contractor operating in the Resort Municipality.

10.4 The Resort Municipality shall return 90 percent of the security to the applicant when work has been completed to the satisfaction of the Resort Municipality.

10.5 The Resort Municipality may retain up to 10 percent of the security deposit for a period of up to one year after the work has been completed to the satisfaction of the Resort Municipality.

10.6 If within one year after the work has been completed the Resort Municipality determines that the work has been satisfactorily completed, the balance of the security deposit shall be returned to the applicant, and for that purpose the Resort Municipality shall inspect the work within the one year period.

10.7 If the permit holder fails to comply with the terms and conditions of the permit, the Resort Municipality of Whistler may enter the property and perform such work as is necessary, and may retain all or a portion of the security to cover the cost of such work.

10.8 An applicant may, for the purposes of this Part, inform the Resort Municipality in writing of the name and address of a person to whom the Resort Municipality may return the security deposit if that person is a successor in title to the applicant or a landscaping contractor holding a Resort Municipality business licence, and such information shall be deemed to irrevocably authorize the Resort Municipality to return the security deposit to that person.

PART C: ENFORCEMENT

11.1 Bylaw Officers are designated to enforce this bylaw pursuant to Section 264(1)(b) of the *Community Charter*.

11.2 Resort Municipality staff is authorized under the provisions of Section 16 of the *Community Charter* to enter at all reasonable times upon any property for the purpose of ascertaining whether the regulations of this bylaw are being observed.

11.3 If in the opinion of the General Manager immediate steps are required to prevent the discharge or leakage of a polluting substance in contravention of this bylaw or remove an obstruction or impediment to the flow of a stream or drainage works, the Resort Municipality may enter onto the land to take such steps as are necessary to remedy the bylaw contravention.

11.4 The General Manager may order any person from whose land a polluting substance is being discharged to a stream or drainage works to take such measures as the General Manager may specify to protect or restore the stream or drainage works, including without limitation installing and maintaining sediment ponds, stormwater retention ponds, and containment barriers.

11.5 If the General Manager is not satisfied that the owner or occupier has taken steps required by or under of any provision under this bylaw after having been given notice in writing to do so, the Resort Municipality may enter on the owner's or occupier's land to perform the work.

11.6 If the Resort Municipality takes action pursuant to Section 11.3 or 11.5, the owner and occupier of the land shall pay to the Resort Municipality within thirty days of demand, all costs and expenses incurred by or on behalf of the Resort Municipality in performing the work.

12. OFFENCE AND PENALTY

12.1 Any person who contravenes this bylaw is liable, upon conviction, to a fine not exceeding \$10,000.

12.2 Every person who:

- a) causes or permits the leakage or discharge of a polluting substance into a stream or drainage works;
- b) causes or permits the obstruction or impediment of the flow of a stream or drainage works; or
- c) causes or permits a tree to be cut down or damaged without a tree cutting permit, or in contravention of the conditions contained in any tree cutting permit,

contrary to this bylaw, or fails to comply with an order of the General Manager made under this bylaw, commits an offence under this bylaw and each day on which such a contravention continues shall constitute a separate offence.

12.3 Offences for which tickets can be issued and fines imposed are prescribed in the Municipal Ticket Information bylaw.

13. SEVERANCE

13.1 If any section or other part of this bylaw is held invalid by a court, the invalid portion shall be severed.

READ A FIRST TIME this 18th day of February, 2014.

READ A SECOND TIME this 18th day of February, 2014.

READ A THIRD TIME this 18th day of February, 2014.

ADOPTED this _____th day of _____, 2014.

Mayor
Nancy J. Wilhelm-Morden

Corporate Officer
Shannon Story

I HEREBY CERTIFY that this is a true copy of
“Environmental Protection Bylaw No. 2000, 2012”

Corporate Officer
Shannon Story

SCHEDULE A

RMOW HERITAGE TREE INVENTORY

NAME:	LOCATION
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From: KAREN THOMSON [<mailto:karenthomson@hotmail.com>]

Sent: Wednesday, February 12, 2014 9:47 PM

To: Donna Wango; Jack Crompton; Duane Jackson; Jayson Faulkner; Andrée Janyk; John Grills; Roger McCarthy

Subject: Unit in the Rise in Cheakamus Crossing-Assistance Please

Dear Mayor and Council,

My husband and I have been living in a three bedroom townhouse in The Rise at Cheakamus Crossing since October 2010. While we are generally very happy with our home, we have encountered many problems with our Climate Master Geothermic heating system. These problems began within the first 3 months of moving in.

Prior to expiration of the 2 year warranty on our system, we had to have Western Technical Systems (WTS) visit us numerous times. The system would "red screen" frequently, giving the trip error code "E2 high water temp". Following expiration of the warranty in 2012, the system has never worked properly and continues to fail. We asked Western Technical Systems (who installed the systems originally for the Olympics) to return to repair the unit. After the service visit, they told us that they could not fix the unit. The company then presented us with an invoice and walked away from the problem. We subsequently called Spearhead Plumbing. After a few weeks, we were told that the technical issues were beyond their expertise and that they were sorry but could not fix the problem. They did not charge us for the service visit. We then called Element Mechanical, who was recommended to us, and after several attempts they too informed us that they could not resolve the issues with the system. Element Mechanical invoiced us for the work and suggested we try an HVAC company. In September 2013, we asked Custom Air (the fourth company we have approached) to examine the issues with the heating system. It is now February and after many call-backs, Custom Air is still trying to get our system running. As of yesterday the system was hopefully fixed. Three weeks ago, while we were experiencing a cold snap, Custom Air decided to shut our system down completely claiming they found a large build-up of calcium in the small water storage tank which, in turn, was clogging the water flow to the rest of the system, causing it to fail.

We have now paid over \$5000 in repair costs, and still have over \$1500 in charges for the Chemical Flush and the addition of chemicals that is presently underway. Custom Air says that a chemical imbalance is the likely cause of our system failures and that after the ongoing treatment, our system should be up and running. Custom Air have loaned us three small space heaters which are driving up our hydro bills but which are not sufficient to heat our unit during the recent cold snap. Recently we would wake up to an internal house temperature of roughly 6 degrees.

Technical Advisor Peter Whitten of Custom Air states that *"the additional water analyzing came in yesterday and the problem was caused (by) improper water treatment in the past"*. When I asked how long ago this issue would have arisen he said *"At the time of original commissioning, this process should have been done but something went wrong. All of the problems you have experienced are a result of this water condition"*.

We feel that our Climate Master unit was not installed correctly from the beginning and this is why we are experiencing these costly repairs at such an early stage in the life span of the unit. We believe that we should be compensated for the costs incurred to date as well as the additional costs it will take to get the system back up and running efficiently, the way it should have been in the first place.

This heating system is so complex that it is difficult to find a company that has the expertise necessary to service and repair the units in an efficient and cost effective manner. Moreover, the systems have been installed in such a way that the owner is not able to opt and turn to an alternate source of heating. Failure of our heating system has caused us financial hardship and put a strain on our personal life. It is unacceptable to go weeks without heat and hot water in the middle of a Whistler winter.

If you would like to see the invoices we have paid for the work done to this point please contact us.

We look forward to your reply.

Thank you,

Karen Thomson & Alisdair Macaulay
39-1275 Mount Fee Rd
Whistler, BC
604-906-0368 (Karen's cell)

From: Lifeforce [<mailto:lifeforcesociety@hotmail.com>]
Sent: Sunday, February 23, 2014 2:49 PM
To: Mayor's Office
Subject: Fw: In Memorial: Olympic Legacy of Animal Abuses

Dear Mayor and Councillors:

In Memorial: Olympic Legacy of Animal Abuses

The 2014 Winter Olympics are over. After the Vancouver 2010 Winter Olympic the world was shocked to hear that there was an inhumane, brutal massacre of "sled" dogs in Whistler, BC. Outdoor Adventures Whistler, was accused of killing dozens of sled dogs after demand for dog-sled tours dropped after the Winter Olympics. An employee of Outdoor Adventures reported that he was ordered to execute about 100 dogs with a gun so that the oversized-herd could be culled in response to lower demand. In November 2012 former sled dog operator Bob Fawcett basically walked away from cruelty to animals charges that he had pleaded guilty to.

Also in 2010, the Vancouver Aquarium had plan to complete a massive expansion with dolphins from the infamous Japan industry for the Olympics but fortunately they couldn't get \$120 million from governments and private companies.

In response to the Sochi 2014 Olympic plans, Lifeforce and organizations worldwide protested the capture of orcas and other dolphins for the Sochi aquarium, and the poisoning of Sochi homeless dogs. The two orcas are suspected to be in a tank in Moscow while groups continue to fight for their freedom.

It appears that the global village still have to extend our circle of compassion to other sentient beings with whom we share this planet. Animal rights continue to be violated for human financial profits.

Lifeforce continues to fight for a ban on dog sled racing/tourism and the captivity of animals in the proposed Vancouver Aquarium expansion. Read more at Stop Whistler Sled Dog Cruelty: <https://www.facebook.com/pages/Stop-Whistler-Sled-Dog-Cruelty-Industry/237793416299804> and Vancouver Aquarium is SADquarium: <https://www.facebook.com/VancouverAquariumisSADquarium>

Peter Hamilton
Lifeforce Founding Director
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Brian Wolfgang Becker
Suite 201- 6730 Dunblane Ave.
Burnaby, British Columbia
V5H3K6

Phone 604 724 6360

Feb 19, 2014

To: Ministers, Mayors & Councils and others concerned.

Re: Comments On Spirit Tree Functional Art Installations.

Dear Recipients.

Having last night watched the live RMOW council meeting of Feb 18th, 2014 and the reaction to the proposed Spirit Tree functional art installations proposal for Hwy 99, I feel it is necessary to further comment given there is either a lack of comprehension or misunderstanding on behalf of Mayor & Council regarding the concept proposed and its potential safety value for those whom use the Sea To Sky Hwy 99 corridor.

Recently a physician that worked at the Whistler Emergency Health Care Center was awarded 5.9 million dollars in a claim against BC Transit for a traffic incident that ended his medical career through a concussion associated injury as recently published in Pique Newsmagazine. I have no idea how much the financial collective costs have been over the years or have an accurate number for lives lost or forever changed for the worse at this point in time but any efforts to improve the safety of transportation on Hwy 99 should never be dismissed with a comment that you find the proposed idea "disturbing".

I do not know how much thought or time you all give to this matter but no doubt it is far less then myself whom has spent a considerable amount of time in years past working both creatively as well as having to drive professionally under far less then ideal conditions. Two of those years were

recently based in Whistler driving Class 4 between YVR and Pemberton. In addition, I have a personal driving history of Hwy 99 that takes me back to the mid 1970's.

The primary success of any art form is to first be thought provoking and if it has intention then to be functional in moving its audience to predetermined outcomes. **Spirit Trees are intended to assist in keeping people traveling safely, alive and well** and not as sorrow or fear filled death markers. While I have referenced a need to determine locations of past fatal incidents that is for the main purpose of determining higher risk locations if they have been factors in the past. The total number of fatal incidents and serious collisions helps bring greater perspective to the degree of danger and driving difficulty within a given rural Hwy distance and may provide for a number of Spirit Trees given any direct association?

You have referenced the crucifix in your council meeting which is also a form of grave marker which these are not. Those I have seen myself over the years while traveling in various foreign lands. These can be absent or unseen in the darkness of night. Spirit Trees would in fact glow or illuminate at night and be visible in sculpture form by day. We all have different associations and relationships with the crucifix which is also a religious symbol. This proposed project has no religious affiliation or association. Its primary function is to be a constant reminder along the route of Hwy 99 between Horseshoe Bay and Pemberton to all for the degree of focus required to safely navigate the often changing tasks at hand, the need for vehicles to meet the requirements of the road and conditions traveled. While the idea of Spirit Trees may have risen from the loss of past lives and serious injuries its intention is to prevent future losses and serious vehicle incidents moving forward in time.

Posted speed signs are too often ignored and poor driving habits are too often seen and clearly demonstrated on Hwy 99. Since obtaining my Class 1 drivers licence in 2008 and working within the transportation of goods and services industries in a class 1, 3, or 4 capacity, I heard one comment that I found most profound! At a Safety Meeting while on lease location servicing a gas well site in Alberta my client said, "those he is most concerned about here are those new to the business at hand because they are still learning and those of you that have been here the longest because in becoming too familiar with the potential dangers one can become complacent". Those who drive Hwy 99 just once or often fall into that very same category because the consequences of failure can be just as dramatic or fatal. Spirit Trees would serve the purpose and objective of further reducing the fatalities and serious vehicle incidents on Hwy 99 between Horseshoe Bay and Pemberton and that in no way should be disturbing but embraced! End point.

Sincerely, Brian Wolfgang Becker

RECEIVED
FEB 18 2014*Executive Offices*
Tel. 604 432-6215 Fax 604 451-6614

February 12, 2014

File: CP-16-02-016

Mayor Nancy Wilhelm-Morden
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B4

Dear Mayor Wilhelm-Morden and Council:

Re: Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280

I am writing today to seek your Council's support for the "Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280" (Bylaw 280).

On October 11, 2013, the Metro Vancouver Board gave third reading to Bylaw 280. Bylaw 280 implements a waste flow management strategy that requires residential and commercial/institutional garbage to be delivered to Metro Vancouver and City of Vancouver disposal facilities (Regional Facilities), and allows for the development of mixed waste material recovery facilities (MWMRFs) for the purpose of recovering recyclables and organics from post-source separated waste. Bylaw 280 has been submitted to the Minister of Environment for her consideration, and requires her approval prior to adoption.

Bylaw 280 was developed following extensive consultation with government and industry stakeholders and is critical in:

- achieving the waste diversion targets of Metro Vancouver's *Integrated Solid Waste and Resource Management Plan (ISWRMP)*
- ensuring a cost effective and equitable solid waste disposal system
- supporting the local recycling industry.

Bylaw 280 was developed in response to waste haulers collecting commercial and multi-family garbage in Metro Vancouver and delivering it to transfer stations in an adjacent regional district, thereby avoiding bans and prohibitions in place to encourage diversion, and not paying their share of the cost of the region's solid waste system including waste diversion initiatives.

Bylaw 280 has received extensive support from the local recycling industry. A group of 11 recycling companies formed the Recycle First Coalition and have written to the Minister of Environment recommending she approve Bylaw 280. The Cowichan Valley Regional District and Nanaimo Regional District Boards have both passed resolutions in support of Bylaw 280.

Metro Vancouver believes that the ability to implement waste flow management is key to the success of solid waste management plans across the Province. If you believe that this is an important issue, we encourage you to consider supporting Metro Vancouver's Bylaw 280.

Paul Henderson, Metro Vancouver's General Manager of Solid Waste Services, would be happy to provide additional information with respect to Bylaw 280 or any other aspect of the ISWRMP, and if required would be able to present the details of Bylaw 280 to your Council at your convenience. He can be reached at 604-432-6442 or at paul.henderson@metrovanancouver.org.

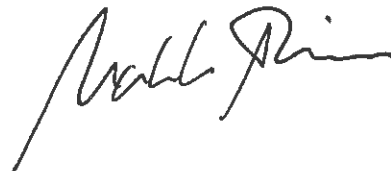
Yours truly,



Greg Moore
Chair, Metro Vancouver Board

GM/MB/ph

Yours truly,



Malcolm Brodie
Chair, Zero Waste Committee

cc: Ms. Patricia Heintzman, Chair, Squamish-Lillooet Regional District