

WHISTLER

AGENDA

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, FEBRUARY 18, 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 February 18, 2014.

ADOPTION OF MINUTES

Adoption of the Regular Council minutes of January 28, 2014.

PUBLIC QUESTION AND ANSWER PERIOD

PRESENTATIONS/DELEGATIONS

2013 Crime Statistics

A presentation from Inspector Neil Cross of the RCMP regarding 2013 crime statistics.

Whistler Chamber of
Commerce Spirit
Engagement Strategy

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

Council Retreat
Outcomes

A presentation from Mike Furey, Chief Administrative Officer of the Resort Municipality of Whistler regarding the Council retreat outcomes.

MAYOR'S REPORT

INFORMATION REPORTS

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

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

ADMINISTRATIVE REPORTS

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

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.

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

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.

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

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.

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

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.

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

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.

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

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

MINUTES OF COMMITTEES AND COMMISSIONS

Public Art Committee	Minutes of the Public Art Committee meeting of December 18, 2013.
Liquor Licence Advisory Committee	Minutes of the Liquor Licence Advisory Committee meeting of December 12, 2013.
Measuring Up Committee	Minutes of the Measuring Up Committee meeting of November 13, 2013.

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

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.
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ITEMS HAVING PRIOR NOTICE OF MOTION

Naming of Spearhead Range Endorsement	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.
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OTHER BUSINESS

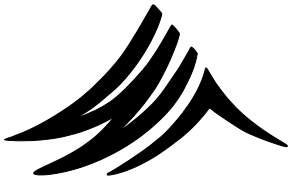
Chief and Deputy Chief Election Officer Appointments	That pursuant to Section 41(1) and (2) of the <i>Local Government Act</i> Shannon Story be appointed Chief Election Officer for conducting the 2014 general local elections in the Resort Municipality of Whistler with power to appoint other election 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.
Bylaw Officer Appointment	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 <i>Police Act</i> , 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.

CORRESPONDENCE

Centre for Civic Governance Municipal Downloading Study File No. 3009	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.
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Intergenerational Day Proclamation Request File No. 3009.1	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.
Highway 99 Functional Art Installations (Spirit Trees) Proposal File No. 3009	Correspondence from Brian Wolfgang Becker, received January 31, 2014 regarding the Highway 99 Functional Art Installations (Spirit Trees) Proposal.
Dementia Strategy Resolution Request File No. 3009.1	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.
BC Ferries Service Cuts File No. 8204.53	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.
Whistler Pottery Club Empty Bowls Invitation File No. 3009	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.

ADJOURNMENT



WHISTLER

MINUTES

**REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, JANUARY 28, 2014, STARTING AT 5:30 PM**

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

PRESENT:

Acting Mayor J. Crompton

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

ABSENT: Mayor Nancy Wilhelm-Morden

General Manager of Infrastructure Services, J. Paul
Acting General Manager of Resort Experience/Director of Planning, M.
Kirkegaard
Director of Finance, K. Roggeman
Library Director, E. Tracy
Corporate Officer, S. Story
Acting Manager of Communications, M. Darou
Planning Analyst, B. McCrady
Recording Secretary, N. Best

ADOPTION OF AGENDA

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

That Council adopt the Regular Council agenda of January 28, 2014 as amended to include a "Notice of Motion" under "Other Business".

CARRIED

ADOPTION OF MINUTES

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

That Council adopt the Regular Council minutes of January 14, 2014.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

Shane Bennett, 7-2240 Gondola Way, asked if Council had any questions regarding the Open Letter to the RMOW that he provided in the current meetings correspondence.

Acting Mayor J. Crompton responded there were no questions from himself.

Mr. Bennett asked if Council or staff will recommend anything in regards to

his letter.

Acting Mayor J. Crompton responded that he did not believe anything will be recommended during the current meeting, but that staff and Council have access to the letter and if they wish respond to it they will.

PRESENTATIONS/DELEGATIONS

Highway Truck Safety

A presentation was given from Peter von der Porten, CEO of Vehicle Monitoring Corporation regarding highway truck safety.

Paving the Dave Murray Downhill Timing Flats

A presentation was given from Philip Langridge regarding the paving of the Dave Murray Downhill timing flats.

MAYOR'S REPORT

Acting Mayor J. Crompton congratulated Mike Janyk (son of Councillor Andrée Janyk) and Morgan Pridy, who named to Canada's alpine ski team, headed to Sochi 2014 Winter Olympics on Monday, January 27.

Acting Mayor J. Crompton shared condolences with the family of Alex Bunbury following his passing. Alex was a volunteer ski patroller on Whistler Mountain, an active member of North Shore Search and Rescue, and a member of the Museum and Archives Society. He served on the Advisory Planning Board and was a volunteer firefighter with Whistler Fire Rescue Service, which he joined in 1982 and retired from, when he turned 65 in 1998. Alex was a notable land surveyor, who worked on local projects including original surveys for the Whistler town site, Whistler and Blackcomb mountains, and BC Rail. A key figure with the Whistler Fire Rescue Service, his sense of mischief and good nature will be remembered along with his legacy as the department's first safety officer. His energy and commitment gave shape to this key role. Alex's impact on the department was significant, perhaps best summed up by the annual fire service award presented in his name to the recruit firefighter of the year. A Celebration of Life for Alex will be held on February 2 from 1 to 4 p.m. in the Whistler Fire Fighters' Lounge at Fire Hall #1.

Acting Mayor J. Crompton shared condolences with the family of Tim Jones following his sudden passing. Tim was a legendary lifesaver with North Shore Rescue and was well respected throughout the community. He will always be remembered as B.C.'s best-know search and rescue volunteer. Tim participated in more than 1,400 rescues, including a few in the Sea to Sky corridor. Tim received the Order of British Columbia from Premier Christy Clark in 2011. He also received a Queen's Diamond Jubilee Medal in 2012. Clark said Jones played a key role in building North Shore Rescue into one of North America's most innovative and successful search-and-rescue teams. This is a great loss for our community and our thoughts to go out to his family, friends and colleagues with North Shore Rescue. Councillor J. Faulkner added that he knew Alex a long time and his thoughts and condolences go out to the family. Councillor J. Faulkner added that he had great memories and great thoughts about him, and that Whistler has had many elders of the community pass this year. Councillor J. Faulkner noted that Tim left a tremendous legacy and was a pillar of the community.

Councillor R. McCarthy added that Tim will be missed as he made big contributions to the community. Councillor A. Janyk said Alex was one of the surveyors and had a great passion for the mountains and helped carve the path of where the Whistler gondola stands today. Councillor A. Janyk added that she will miss him and she was privileged to know him so long.

Acting Mayor J. Crompton announced that last week MLA Jordan Sturdy announced that he will be stepping down as Pemberton's mayor following the Pemberton council meeting on February 4. Mayor Sturdy was elected as the MLA for West Vancouver-Sea to Sky in May. On behalf of Whistler council and the Resort Municipality of Whistler, Acting Mayor J. Crompton congratulated Mayor Sturdy on his term as Pemberton's mayor.

Acting Mayor J. Crompton invited community members to take the website feedback survey for Whistler.ca, the Resort Municipality of Whistler's website. The website is now live with updates to design, navigation, the mobile website and more. The updates reflect the needs of our residents, businesses and visitors to access information easily and efficiently and for the organization to be transparent and accountable.

Acting Mayor J. Crompton announced that The Resort Municipality of Whistler is now accepting Community Enrichment Program applications from community groups looking for financial assistance for 2014. Each interested community group will be required to complete an application form and appear before Whistler council. All approved funding will be issued no later than April 30, 2014. Application forms are available online or at the reception desk of Municipal Hall. Applications must be received by 4:30 p.m. on Friday, February 14, 2014. Details are available at whistler.ca.

Acting Mayor J. Crompton reported that Whistler will be celebrating the 2014 Winter Games and reigniting the magic of the 2010 Winter Games with a festive lineup of activities and events in the Village from Friday, February 7 to Sunday, February 23, 2014. Visitors and residents are invited to come out and show their Canadian pride, support homegrown and national athletes and reignite the magic of 2010. Activities will include:

- Opening Ceremony Broadcast and 2010 reunion at Whistler Olympic Plaza
- Games daily broadcast viewing at Whistler Olympic Plaza
- Family Après Games Edition at Whistler Olympic Plaza
- Olympians Breakfast with Julia Murray at Whistler Olympic Plaza
- Luge and bobsleigh demos at Whistler Olympic Plaza;
- Fire and Ice Show at Skier's Plaza; and more.
- More information can be found at whistler.ca/olympics.

Acting Mayor J. Crompton announced the second BC Family Day will take place on Monday, February 10. Whistler will be joining other BC ski resorts in the province to provide a promotion for BC Family Day. Whistler Blackcomb will provide BC Residents with 50 per cent off regular lift ticket prices with proof of BC residency. The RMOW will provide a 50 per cent discount for residents and visitors at municipal facilities, including Lost Lake Cross-Country Ski and Snowshoe Trails, Meadow Park Sports Centre family drop-in or all day admissions, and skate rentals at Whistler Olympic Plaza (admission

is free). More information can be found at whistler.ca.

Acting Mayor J. Crompton announced The Community Foundation of Whistler is now accepting nominations for the 2014 Whistler Citizen of the Year Award. The Whistler Citizen of the Year is an outstanding community member who contributes significant volunteer time to enhancing the quality of life in Whistler. This individual demonstrates extraordinary leadership and community service outside of employment. The 2014 award is sponsored by Race and Company and the nomination period closes on May 9, 2014. The award recipient will be announced at the Whistler Excellence Awards on June 19, 2014. More information can be found at the Whistler Foundation website.

Acting Mayor J. Crompton reminded residents to complete the My Health, My Community survey. This project is a partnership between the Vancouver Coastal Health Authority, Fraser Health Authority and the University of British Columbia. The online survey launched June 27 and will remain open until 50,000 responses are received. The survey will be used to learn how lifestyles, neighbourhoods and environments all work together to affect overall health and well-being, and this data will help shape future programs and community services. Residents were directed to www.myhealthmycommunity.org to complete the survey.

Acting Mayor J. Crompton, on behalf of council and the Resort Municipality of Whistler, wished the organizers and participants of the 22nd annual WinterPRIDE festival a wonderful week in Whistler. Whistler council has officially proclaimed January 26 to February 2 "Pride Week in Whistler" and the Gay Pride rainbow flag is flying over Municipal Hall this week. The LGBT community is an important part of the visitor mix to Whistler and WinterPRIDE continues to be an important part of the overall Whistler experience for all resort guests.

Acting Mayor J. Crompton reported that Council will hold a retreat with senior management on February 13 to plan for RMOW priorities in 2014. Chief Administrative Officer Mike Furey will provide an update at the regular council meeting on February 18.

Acting Mayor J. Crompton announced that during today's closed meeting, council appointed Staff Sergeant Steve LeClair, as the Whistler RCMP Representative, Stephen Webb, as the Accommodation Sector Representative and Andy Flynn, as the Food and Beverage Sector Representative to the 2014 May Long Weekend Committee for a one-year term.

INFORMATION REPORTS

Whistler Public Library
Annual Report 2012 and
Strategic Plan 2014-2017
Report No. 14-005
File No. 8201.03

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

That Information Report No. 14-005 be received.

CARRIED

*Acting Mayor J. Crompton called a two-minute recess at 6:23 p.m.
The meeting reconvened at 6:25 p.m.*

ADMINISTRATIVE REPORTS

LLR 1170 – Nita Lake
Lodge Food Primary
Change to Hours of Sale
Report No. LLR1170
File No. 14-006

Moved by Councillor J. Faulkner
Seconded by Councillor J. Grills

That Council authorize the resolution attached as Appendix “A” to Administrative Report No. 14-006 providing Council’s recommendation to the BC Liquor Control and Licensing Branch in support of an application from Nita Lake Lodge located at 2131 Lake Placid Road for a Permanent Change to Licensed Hours of Sale for Food Primary License No. 802805, to change hours of sale to 9:00 am to 1:00 am Monday through Sunday.

CARRIED

4800 Spearhead Drive
Parking Variance
Report No. 14-007
File No. DVP 1064

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

That Council approve Development Variance Permit 1064 to vary the parking requirements at 4800 Spearhead Drive from 291 stalls to 279 stalls for conversion of parking to bike storage areas as illustrated on the plans attached to Council Report No. 14-007 as Appendix “B”.

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Advisory Design Panel

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

That Minutes of the Advisory Design Panel Committee meeting of December 18, 2013 be received.

CARRIED

BYLAW FOR ADOPTION

Land Use Procedures
and Fees Amendment
Bylaw No. 2038, 2013

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

The purpose of Land Use Procedures and Fees Amendment Bylaw 2038, 2013 is to establish an appropriate fee structure for antenna system applications.

CARRIED

OTHER BUSINESS

NOTICE OF MOTION

Moved by Councillor J. Faulkner

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 and approve.

Councillor J. Faulkner announced the RMOW appointed Tony Metcalf as Economic Development Officer. Creation of this new position was a recommendation that came out of the work of the Economic Partnership Initiative last year. The economic development officer will be responsible for executing actions within the Economic Partnership Initiative's final report, meeting with local businesses to understand key barriers to business success, coordinating research, and supporting ongoing resort business development objectives. Toni Metcalf is a Fellow Certified Practicing Accountant with a Commerce Degree majoring in Accounting and Economics. Her background includes over 15 years of international experience working in Australia, Europe, and Africa, and she has worked most recently with her own consultancy practice in Whistler.

Councillor Faulkner raised two items that were recently discussed by the Forest and Wildland Advisory Committee (FWAC). The first was that staff consider sending a letter to Recreation Sites and Trails BC requesting that the RMOW receive referrals of future recreation sites in the Whistler area. Secondly, that the RMOW reconsider contacting BC Parks to discuss a winter opening of the Brandywine Falls parking lot for visitors and residents to be able to enjoy the world-class feature year-round.

CORRESPONDENCE

Property Tax Collection in Whistler
File No. 4560

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

That correspondence from Shane Bennett, received January 8, 2014, regarding property tax collection in Whistler be received referred to staff.

CARRIED

Infrastructure Construction
File No. 3009

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

That correspondence from Jack Davidson, President of the BC Road Builders and Heavy Construction Association, dated January 9, 2014 regarding infrastructure construction be received.

CARRIED

Sled Dogs and Crosswalk Safety
File No. 6805 & 3009

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

That correspondence from Yvonne Goller, received January 9, 2014, regarding sled dogs and crosswalk safety be received.

CARRIED

BCSEA Webinar Invitation
File No. 3009

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

That correspondence from Guy Dauncey of BC Sustainable Energy

Association, received January 15, 2014, requesting Council join the BCSEA Webinar for Climate Change Action at the Local Level be received.

CARRIED

Local Elections Campaign Financing Act
File No. 3007.1

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

That correspondence from Minister Selina Robinson, dated January 16, 2014 regarding the Local Elections Campaign Financing Act be received.

CARRIED

Host City Pride House
Mission
File No. 8199

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

That correspondence from Mayor Gregor Robinson, City of Vancouver, dated January 17, 2014, requesting Council endorse the Host City Pride House Mission to be presented to the International Olympic Committee and the International Olympic Committee in Sochi, Russia in February 2014 be received and proclaimed.

CARRIED

ADJOURNMENT

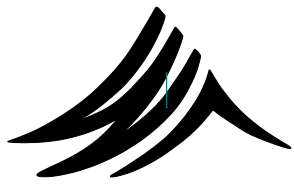
Moved by Councillor D. Jackson

That Council adjourn the January 28, 2014 Council meeting at 6:41 p.m.

CARRIED

MAYOR: N. Wilhelm-Morden

CORPORATE OFFICER: S. Story



REPORT | INFORMATION REPORT TO COUNCIL

PRESENTED: February 18, 2014

REPORT: 14-008

FROM: Corporate and Community Services

FILE: 4572

SUBJECT: FOURTH QUARTER INVESTMENT REPORT – 2013

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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

REFERENCES

Appendix “A” – Investment Holdings and Returns as at December 31, 2013.

PURPOSE

The purpose of the report is to advise Council of the investment holdings as of December 31, 2013, pursuant to Section 16.0 of Council Policy A-3 Investments (the “Policy”).

DISCUSSION

Section 16.0 of the Policy charges the General Manager of Corporate and Community Services with the responsibility of reporting to Council on investment holdings on a quarterly basis, investment performance on an annual basis, as well as reporting deviations from policy.

As at December 31, 2013, the investment portfolio was in compliance with the policy.

Investment holdings of the Municipality at December 31, 2013, had a market value of \$ 85,508,315 (2012 - \$76,689,049). A list of investment holdings is attached as Appendix A.

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

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Finance	The long term consequences of decisions are carefully considered.	The investment strategy is compliant with the Policy and seeks to maximize investment returns while preserving principal.
Finance	Common evaluation criteria are used to assess actions.	The Policy is readily understood and complied with.

		Investment performance is reported and evaluated on a regular basis.
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OTHER POLICY CONSIDERATIONS

None.

BUDGET CONSIDERATIONS

Investment income, for the twelve months ended December 31, 2013 has realized a gain of \$638,338 (unaudited) which is 40% of budgeted investment income for the year. The gain is comprised of interest received or accrued and changes in market values during the fiscal year. Investment income had significant negative results beginning in May 2013 when short term interest rates in bond markets rose sharply. This negatively impacted the market value of pooled investment funds that the municipality holds with the Municipal Finance Authority (MFA) and a real return bond fund. MFA pooled funds made some modest recovery during the year, however the real return bond fund has persisted with very slowly increasing market value. Investment income without the real return bond fund loss would be \$1.25 million.

Most investment income is allocated to reserves to fund future expenditures and the remainder is allocated to operations throughout the year.

COMMUNITY ENGAGEMENT AND CONSULTATION

Investments are reported on publicly every quarter.

SUMMARY

The current investment strategy complies with the Policy and Community Charter requirements. As well, the strategy is providing a reasonable return on investment and allows the Municipality to manage its cash flows effectively and efficiently.

Respectfully submitted,

Ken Roggeman

DIRECTOR OF FINANCE

for

Norm McPhail

GENERAL MANAGER, CORPORATE AND COMMUNITY SERVICES

**Resort Municipality of Whistler
Investment Holdings and Returns
As at December 31, 2013**

Appendix A

Holder:	Fund/ Instrument	Market Value		
		31-Dec-13	31-Dec-12	31-Dec-11
RBC Operating Account		6,775,762	6,526,520	7,504,286
RBC Dominion Securities	Renaissance Real Return Bond Fund	4,264,616	4,955,156	4,871,972
	CDN Western Bank, GIC, 2.15% Due 07/25/2014	3,093,030	3,028,098	-
	VanCity, GIC, 1.85% Due 09/04/2014	1,508,971		
	ING, GIC, 2.00% Due 09/04/2015	2,012,932		
	Prov BC Bond, Due 07/09/2017, YTM 2.19%	3,042,409		
	Prov Ont Bond, Due 08/07/2017, YTM 2.28%	2,534,695		
Municipal Finance Authority	Short term bond fund	39,974,673	39,306,307	35,942,587
	Intermediate fund	4,159,067	4,100,060	9,004,638
	Money Market fund	-	-	2,501,974
Blueshore Financial	Term deposits	18,142,160	18,772,908	9,077,682
		-		
		85,508,315	76,689,049	68,903,139

**Investment Returns
As at December 31, 2013**

	RMOW Actual Returns ***			MFA Pooled Rates	
	Year-to-Date	YTD Actual	1 year actual	Year-to-Date	3 Years
	Non-annualized Dec 31/13	Annualized % Dec 31/13	Annualized % Dec 31/12	Non-annualized Dec 31/13	Annualized %
MFA Money Market Fund	0.00	0.00	1.05	1.10	1.07
<i>Custom Benchmark**</i>				<i>0.82</i>	<i>0.84</i>
MFA Intermediate Fund	1.44	1.44	1.36	1.44	1.50
<i>DEX 365-Day Treasury Bill Index</i>				<i>1.02</i>	<i>1.19</i>
MFA Bond Fund	1.70	1.70	2.37	1.70	2.61
<i>DEX Short Term Bond Index</i>				<i>1.54</i>	<i>2.59</i>
Renaissance Real Return Bond Fund	-12.36	-12.36	3.58		
Prov of BC Bonds	0.71	2.21			
Prov Of Ont Bonds	0.74	2.30			
CDN Wstrn 2YR Term Deposits	2.15	2.15	2.16		
ING Direct 2 yr GIC	0.65	2.00			
Vancity 1yr GIC	0.60	1.85			
Royal Bank ST Deposits	0.34	0.96			
Blueshore ST Deposits	1.44	1.54			
RBC Operating Account	1.25	1.25	1.18		

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

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

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

DEX™ = Derivatives Canada – Canadian Derivatives Exchange

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

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



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014
FROM: Resort Experience
SUBJECT: LLR 1175 – GARFINKEL'S LIQUOR PRIMARY CHANGE TO HOURS OF SALE

REPORT: 14-009
FILE: LLR 1175

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Applicant: Garfinkel's
Location: 1-4308 Main Street

Appendices: "A" – Council Resolution – Permanent Change to a Liquor License
"B" – Location Plan
"C" – Applicant Letter dated January 9, 2014

PURPOSE OF REPORT

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

DISCUSSION

License Request – Hours of Sale

The Resort Municipality of Whistler has received an application from Garfinkel's nightclub located at 1-4308 Main Street (shown on Appendix "B") for a permanent change to hours of sale for existing liquor primary license No. 177866 to extend Sunday night closing time from 1:00 am to 2:00 am. The current and requested Garfinkel's hours of liquor sales are as follows:

	Current Hours of Sale	Requested Hours of Sale
Monday through Saturday	2:00 pm to 2:00 am	Unchanged
Sunday	2:00 pm to 1:00 am	2:00 pm to 2:00 am

Garfinkel’s is requesting a one hour permanent extension of Sunday night hours of sale to 2:00 am as permitted by Council Policy G-17, *Municipal Liquor Licensing Policy*. An explanation of the request is included in a letter from the applicant, attached as Appendix “C”. The applicant cites that the Sunday night 2:00 am closing will benefit the guest experience without negative impacts.

Liquor License Advisory Committee (LLAC) Review Process

In accordance with Council Policy G-17 the municipal review process for a permanent change to the hours of sale within municipal policy guidelines for a liquor primary establishment requires a referral to the LLAC. A summary of the applicant proposal was referred by e-mail to LLAC members for comment, and no objections were raised by LLAC members who provided comment on the application.

Current Good Standing Status

Council Policy G-17 requires that any establishment applying for a permanent liquor license change of this type be in “Good Standing” with respect to its compliance and enforcement history, in order for the application to be considered. As part of the good standing determination process, each of the LCLB inspector, the Whistler Detachment of the RCMP, the Whistler Fire Rescue Service and the municipal Building and Bylaws Departments is asked to provide a list of any contraventions and their disposition for the 12-month period preceding the date of the application. The RCMP staff sergeant then prepares a written recommendation as to whether or not the applicant compliance history is in good standing. The determination of good standing is based primarily on the compliance history and the number and severity of any contraventions and enforcement actions. Consideration is also given to the applicant’s previous history and any corrective measures that have been undertaken and/or proposed. Based on its compliance history Garfinkel’s has been determined to be in Good Standing.

LCLB Policy and Approval Process

The maximum hours of sale allowed by the LCLB for a licensed establishment are between the hours of 9:00 am and 4:00 am, subject to limitation by local government. The LCLB process for a permanent change to hours of sale for a liquor primary license requires that specific conditions regarding the license be addressed and comments be provided to the LCLB in a specifically worded and formatted resolution from local government. The LCLB process requires that local government take into consideration the potential for noise, the impact on the community and the views of residents and asks the details of the process used by local government in determining those views. The proposed resolution presented in Appendix “A” addresses all of the LCLB requirements. In summary, the proposed licensing will provide for improved customer service for both visitors and residents alike and is not expected to have any significant negative impacts on the resort community and is consistent with municipal liquor licensing policies.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
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Visitor Experience	Community members and organizations work collectively to ensure exceptional experiences that exceed visitor expectations	Permitting Garfinkel's to provide liquor sales until 2:00 am seven days a week is an opportunity for the entertainment sector, the accommodation sector, local government and enforcement agencies to work together to enable memorable visitor experiences while maintaining order and respecting the rights of other visitors and residents.
Economic	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services	Whistler's nightclub sector is a vital component of the resort community's food and beverage sector offerings. As an international destination, resort visitors have an expectation that the entertainment amenity be available on a consistent basis, seven days a week. The proposed license change will allow Garfinkel's to meet visitor expectations for a consistent late night entertainment offering.

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 establishment serving alcoholic beverages can be disruptive to visitors staying in the Village. Nightclub operators and the RCMP must have resources and procedures to mitigate the potential for noise from dispersing patrons. Garfinkel's has been determined by the RCMP to be in good standing based on its compliance record. An opportunity for residents to express their views was provided through newspaper ads and the display of a site sign. No comments were received.
Health & Social	Community members eat healthy food, exercise and engage in leisure and other stress relieving activities that assist in preventing illness and they avoid the abusive use of substances that evidence indicates have negative effects on physical and mental health	Any expansion of hours of alcohol sales has the potential for over-service and/or excessive consumption. Garfinkel's has been determined to be in good standing and has signed a Good Neighbour Agreement that commits it to procedures and training to avoid potentially adverse effects of their products and services.

OTHER POLICY CONSIDERATIONS

Under policies developed and supported by the Liquor License Advisory Committee and in Council Policy G-17, a permanent change to hours of sale for a liquor primary license within municipal hours of service guidelines requires a referral to the LLAC and a thirty day public comment period. This process has been completed, and no comments were received. Also, municipal and LCLB policies require local government comment in the form of a resolution from Council addressing a number of specific criteria. The resolution of Appendix "A" satisfies those requirements.

On October 16, 2012 the municipal hours of liquor service guidelines of Council Policy G-17 were amended to allow cabarets/nightclubs to provide liquor sales until 2:00 am seven days a week. (Previously, the municipal policy guideline was a 1:00 am end of liquor sales on Sunday nights.) Council Policy G-17 further states that, "Establishments that have existing hours of service that are

less than the general range for the applicable category of establishments are eligible to apply for an extension of hours to the limits of the range for the category, with approval being subject to the municipal review process including consideration of the compliance and enforcement history of the establishment.” The Garfinkel’s application complies with all provisions of Council Policy G-17, and, therefore, satisfies municipal policy requirements.

COMMUNITY ENGAGEMENT AND CONSULTATION

In accordance with municipal policy the applicant advertised the proposed permanent change to its liquor primary license in the January 9 and 16 editions of Pique Newsmagazine and posted a sign at the establishment (commencing January 9, 2014) in order to provide opportunity for public comment. The advertisements and sign requested that any comments be provided in writing to municipal staff on or before February 8, 2014. No comments were received.

SUMMARY

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

Respectfully submitted,

Frank Savage
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX A

General Manager,
Liquor Control and Licensing Branch

RE: Application for a Permanent Change to a Liquor License for a change to hours of sale to Garfinkel's liquor primary license No. 177866.

At the Council meeting held on February 18, 2014 the Council passed the following resolution with respect to the application for the above named amendment:

"Be it resolved that:

1. The Council recommends the amendment to the license for the following reasons:
The proposed licensing will provide for improved customer service for both visitors and residents alike and will not have any significant negative impacts on the resort community. The applicant has entered into a Good Neighbour Agreement and Noise Mitigation Plan with the Municipality.
2. The Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved:
If the application for a Sunday 2:00 am closing time for liquor sales is approved, there is not expected to be an increase in noise from the establishment. Garfinkel's is subject to the provisions of the Municipality's *Noise Control Bylaw No. 1660, 2004*. The Good Neighbour Agreement commits the applicant to limit noise disturbances and comply with the municipal Noise Control Bylaw.
 - (b) The impact on the community if the application is approved:
If the application is approved the impact on the community will likely, on balance, be positive by meeting the service expectations of both visitors and residents. Negative impacts on the community are not anticipated as a result of the requested change to the license.
 - (c) The views of residents:
Council believes that residents are in favour of the application and that residents are not opposed to the application. The method used to gather the views of residents was placement of an information sign in a public location (commencing January 9, 2014) and advertisements in two consecutive editions of the weekly local newspaper, *Pique Newsmagazine*, commencing January 9, 2014. No comments were received. Further, the municipal Liquor License Advisory Committee, comprising various community representatives, provided comment on the application."

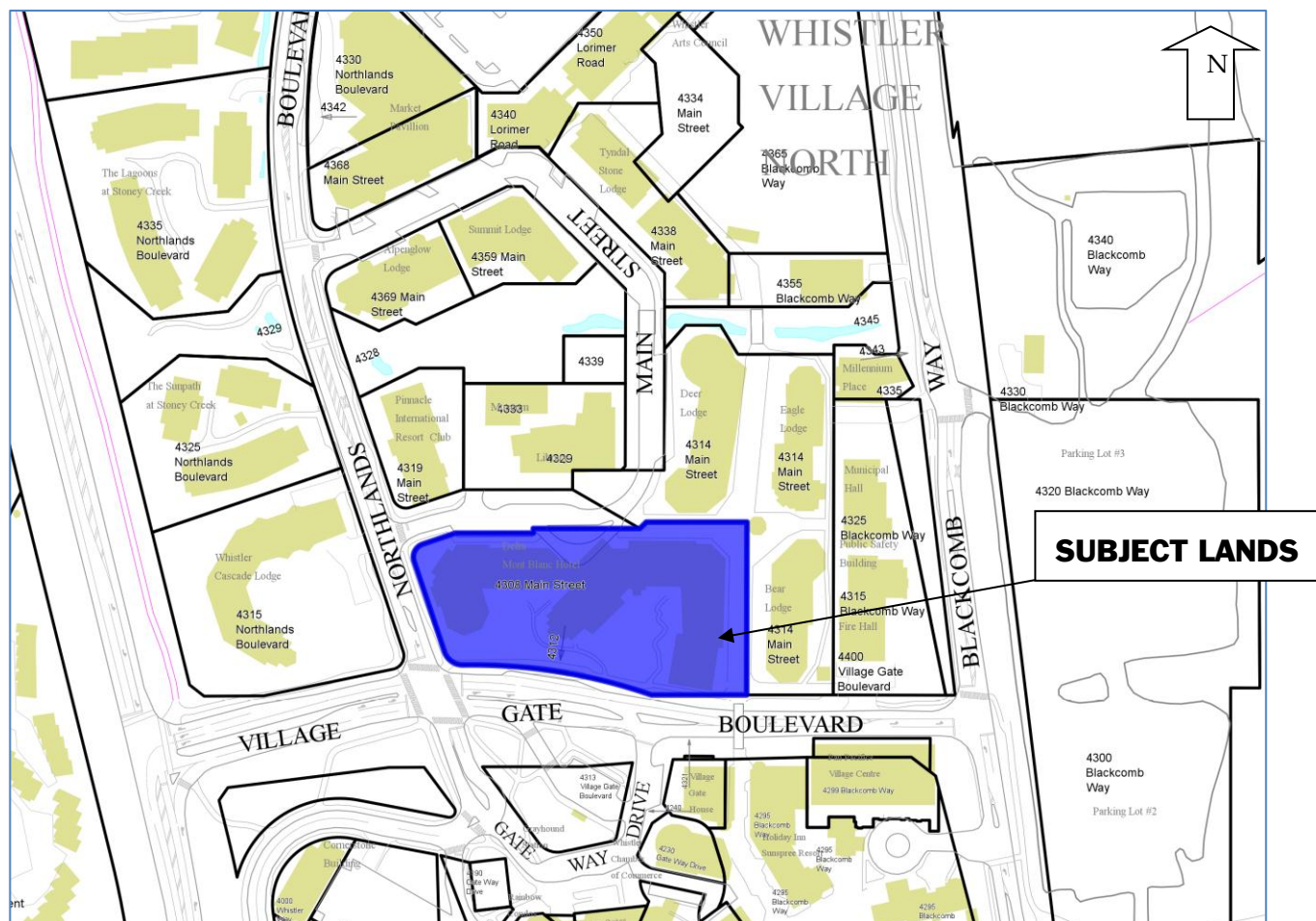
The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the Resort Municipality of Whistler on February 18, 2014.

Sincerely,

Shannon Story
CORPORATE OFFICER
Resort Municipality of Whistler

APPENDIX B

LOCATION PLAN – GARFINKEL’S



THE GIBBONS HOSPITALITY GROUP

P.O. Box 1356
Suite 505 – 4290 Mountain Square
Whistler, BC V0N 1B0

Tel: (604) 938-0225 Fax: (604) 938-0221

RECEIVED

By fsavage at 12:55 pm, Jan 09, 2014

To whom it may concern

This Letter is to accompany the application for a permanent change to a Liquor license for the establishment Garfinkel's (4308 Main St) License number 177866.

The reason this application is being submitted it to change the hours of operation on Sundays to 2am. This request is being submitted as to make sure we can keep up with our local competition that already has this permanent change to their license and ensure we provide the best possible service and experience to the demand of our guests always.

This extension will help us provide a greater experience to our guests that travel to the resort, especially on long weekends or holidays. The majority of these guests that we accommodate at our venue come from the lower mainland, Vancouver as well as Washington State and Oregon.

This extension will provide guests of the community with an experience that they expect for closing hours from their home town building on their overall experience of our world class resort.

The Gibbons Hospitality Group has been operating in the Whistler community since the 80's. As a group we operate the Longhorn Saloon, Buffalo Bills, Tapleys Pub and The Firerock Lounge. We ensure all our hosts, servers and bartenders are trained to a high standard to make sure possible incidents like intoxicated patrons, minors trying to enter the venue do not happen and at the end of the evening all hosts and management work to clear the guests from the village stroll to minimise noise. These steps have been put in to affect at Garfinkel's at the same high level across the company.

Regards

Terry Clark

Director of Bars & Pubs | The Gibbons Hospitality Group

505-4290 Mountain Square

PO Box 65

Whistler, BC VoN 1Bo

Mobile: 604-966-4789

Fax: 604-938-0221

BBerry Pin: 2ADB21FE

Facebook - [GHG](#) | [Longhorn Saloon](#) | [Buffalo Bills](#) | [Garfinkel's](#) | [Tapley's](#) | [Firerock Lounge](#) | [Mountain Club Whistler](#) | [Whistler Village Beer Festival](#)

Twitter - [@GHG_Venues](#) | [@LonghornSaloon](#) | [@BillsWhistler](#) | [@GarfsWhistler](#) | [@Tapleys](#) | [@FireRockLounge](#) | [@mtclubwhistler](#) | [@WhisBeerFest](#)



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014
FROM: Resort Experience
SUBJECT: DP 1320 - Development Permit with Variances – 2010 London Lane

REPORT: 14-010
FILE: DP 1320

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Location: 2110 London Lane
Legal Description: Lot 3 Block A D.L. 7176 Plan 18981
Owner: London Lane Holdings Inc., Inc. No. BC0976790
Zoning: CS1 Zone (Commercial Service Station One)
Date of Application: September 14, 2013

Appendices: “A” Location Map
“B” Architectural, Landscape and Engineering Plans
“C” Excerpts from the Advisory Design Panel Minutes, November 2013 and January 2014
“D” Letter to Applicant

PURPOSE OF REPORT

This report seeks Council’s approval of Development Permit No. 1320 with variances for an application for a commercial development at 2010 London Lane at the north entrance to the Whistler Creek core commercial area.

The proposed development is subject to Council approval relative to the applicable guidelines for the Whistler Creek Development Permit Area of Whistler’s Official Community Plan. The development is also subject to Council approval for variances to the zoning regulations for minimum setback requirements for building and structures and minimum landscaped areas.

DISCUSSION

Background

The property is a former Petro-Canada service station facility which has undergone site soil remediation. It is the remaining parcel to integrate with the Whistler Creek core commercial area which includes the Whistler Creek and Franz’s trail businesses. The property owner has chosen not to redevelop a gas station but instead proposes a commercial building which is permitted by the zoning regulations. The proposal includes encroachment onto London Lane for a relocated and improved valley trail and landscape improvements that enhance the surrounding development. The proposal consists of one building totalling 342.7 square metres of floor area, recycling facilities, associated surface parking and landscaping. The proposal also includes significant landscaping and improvements to the Valley Trail located within the road rights of way on Highway 99 and London Lane.

The overall siting was developed considering the development permit commercial design and landscape highway corridor objectives. The subject property’s remediation is completed but the completion of the remediation process for soils under the highway may require an additional 2 to 4 years to complete. Therefore, the proposal includes a phased approach to the landscape area adjacent to Highway 99 and north of the proposed building to be completed after the existing fenced-in remediation facilities can be dismantled and removed, as shown on the drawings in Appendix B.

Given the unusual layout of the existing parcel and the Zoning Bylaw definitions for front and rear parcel lines and associated required setbacks, staff worked with the applicant on a layout that requires variances but is believed to be a better site development with adjacent improvements than one which would comply with the zoning setback requirements.

Proposed Development

The following provides a summary of the main features of the development. The detailed development permit drawings are attached in Appendix B and are consistent with the OCP design guidelines for Whistler Creek as outlined in the OCP Analysis section of this report.

Site Context and Access

The property is located at 2010 London Lane at the northern edge of the Whistler Creek core commercial area, and is highly visible from Highway 99 in both directions. The property is a challenging site with respect to its size and shape and the zoning regulations with respect to maximum gross floor area, height, building and landscaping setback requirements. The property is defined by the Valley Trail and Highway 99 to the west, the Valley Trail and London Lane to the south, and a shared lane for the London Lane Condo townhouse complex to the north and the Evolution mixed use commercial and residential property to the east as shown on the Location Map in Appendix A.

Access to the site will be at a well-defined entrance from London Lane at the east end of the site. New curbing along London Lane and a relocated Valley Trail will be installed with significant landscaping and lawn installation and will all enhance the gateway entrance to the neighbourhood. The siting and orientation of the building and landscaping will also provide an attractive visible commercial building from Highway 99 and effectively screen the parking area from the highway.

Site Grading

Currently, the property is below the grade of Highway 99, but above the grade of the park located on the south side of London Lane. The below grade municipal park provides a connection underneath Highway 99 to link the Valley Trail system on both sides of the highway.

The proposal includes raising the property's grade by approximately 0.61 metres to be closer to the grade of the adjacent Highway 99 and London Lane, to improve the visibility of the proposed development and landscaping. The applicants' engineer will need to submit a grading plan to confirm the proposed grading will maintain the 5% grade for the driveway shown on the site plan in Appendix B. The driveway grade is important to ensure safe entry and exit from the site for customers, delivery vehicles and emergency response vehicles given Whistler's ice and snow conditions for long periods of the year.

Site Development

The proposed building is a single storey building approximately 21.1m in length and 14.8 metres in width and is oriented in a north-south layout with the long length of the building adjacent to Highway 99. Building materials include wood panels, timber beam supports, natural stone, concrete, hardiboard panels, aluminum windows and entry doors with clear glazing for the store and recycling structure. The building includes clerestory windows on the east and south facades above the main windows to allow additional natural light into the building. The roof will incorporate roof top screening to screen the mechanical equipment. The building colors are muted and are consistent

with the colors in the neighbourhood. A covered walkway along the east side of the building connects the storefronts to the Valley Trail and an outdoor patio seating area on the south side of the building with a gas fire pit, views of Whistler Mountain and visual interaction between patrons and pedestrian and cyclists on the Valley Trail. The proposed landscaping and access path to the remediation facilities on the north side of building is supported. The owner has indicated that depending on tenant need for the north side commercial space there may be a desire for a part of this landscaped area to be converted for use as an outdoor display area. This would be considered through a future application for an amendment to the development permit which may be approved by staff, consistent with zoning and business regulations.

In addition to the proposed on-site landscaping, the project includes off-site landscape areas on the south side, approximately 8 to 15 metres in width and approximately 7 to 9 metres in width on the west side in the road rights of way, to create an enlarged outdoor seating area adjacent to the building, a landscaped area with a relocated Valley Trail and a secondary seating area along the highway frontage and entrance into Whistler Creek as shown per the attached architectural and landscape plans in Appendix B. These improvements are to be provided by the owner as a condition of development permit approval consistent with the proposed site development and associated variance considerations. An encroachment agreement will be required to establish the property owners' responsibilities for maintaining landscape areas and associated improvements for the area immediately between the subject property and Highway 99 and London Lane as shown on the development permit landscape plan.

Signage

The proposed concept for the fascia signs comply with the Sign Bylaw size requirements. Detailed drawings for the fascia signs with additional design details regarding the finishing materials, colors and the nature of the lighting choice are required to ensure they are consistent and complimentary with the overall design and lighting from the property. A separate comprehensive sign package application and approval will be required prior to any installation of signage.

The proposed freestanding sign is constructed of wood posts and tenant panels, a stone base and task lighting as shown per the attached architectural and landscape plans in Appendix B. It is consistent with signage guidelines and the freestanding signs for Franz's Trail regarding scale and height. The sign's height will require a variance given the Zoning regulation concerning proximity of structures in relation to a corner parcel adjacent to an arterial highway. This variance is outlined in the Variances section of this report.

Advisory Design Panel Review

The design concept for the development was presented to the Advisory Design Panel (ADP) on November 20, 2013. The Panel had comments respecting building siting, form and character, landscaping, outdoor space, lighting, materials and colors. A revised design was presented to the ADP on January 15, 2014 which addressed the Panel's recommendations. The Panel commended the applicant and the improvements to the design. Through changes made the ADP considered it to be an attractive building of a Whistler mountain character that is complementary to the neighbourhood. The Panel supported the revised design submission with minor details to be resolved by the applicant with staff. The draft minutes of the November 20, 2013 and January 15, 2014 ADP meetings are attached as Appendix C.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Residents live, work and play in relative compact, mixed-use neighbourhoods that reflect Whistler's character and are close to appropriate green space, transit, trails, amenities and services	Creates a more mixed use community in Whistler Creek by providing additional commercial uses closer to all residents and visitors in the adjacent neighbourhoods (Gondola Village, Whistler Creek and Whistler Highlands)
Economic	Locally owned and operated businesses thrive and are encouraged as an essential component of a healthy business mix.	The proposed commercial space could be operated and or leased by local businesses.

OTHER POLICY CONSIDERATIONS

Zoning Analysis

The property is zoned CS1 (Commercial Service Station One) which permits automobile repair and servicing uses, service station, restaurant and retail uses and one auxiliary residential dwelling unit on the property. The applicant did not include tenants as part of the development permit application but is aware of the permitted uses in the zone. The proposed building's gross floor area of 342.87.m² is the maximum permitted gross floor area for this property based on a floor space ratio (FSR) of 0.25 in the CS1 zone. The proposed floor area requires 15 parking spaces as per the Zoning Bylaw. The proposed surface lot with 16 parking spaces provides one surplus parking stall.

Variances

Given the unusual layout of the existing parcel and the Zoning Bylaw definitions for front and rear parcel lines and associated required setbacks, staff worked with the applicant on a layout which requires variances as shown per architectural drawing A-1.3 in Appendix B. Staff believes this is a better site development than one which would comply with all of the zoning regulations. The proposal requires the following variances:

Building

To accommodate the building siting and massing objectives, Section 8 Subsection 5 of the Zoning Bylaw, which regulates the setbacks for the structure, is varied from 7.5 metres to 4 metres (front yard) on the west side, from 3.5 metres to 0 metres (side yard) on the south side, and from 3.5 metres to 2 metres (side yard) on the north side, as shown on the architectural plans in Appendix B.

Staff supports these variance as a configuration which complied with the zoning may have resulted in the principle building being located at the back of the property with the surface parking lot and recycling structure in the front adjacent to London Lane. Given the site's highly visible frontage adjacent to Highway 99, vehicular access being limited to/from London Lane, and the need to integrate the Valley Trail on two sides of the property as it enters the Whistler Creek

neighbourhood, this layout is a better design solution as shown per the architectural and landscape plans in Appendix B.

Recycling Structure

The proposed recycling structure is located at the rear of the property. This location requires Section 8 Subsection 5, which regulate the setbacks for the structure, is varied from 3.5 metres to 1.5 metres (side yard) on the north side and from 3 metres to 1.5 metres (rear yard) on the east side of the property as shown per the architectural plans in Appendix B.

Staff supports these variances as this is a good location for vehicles to make pick-ups on site, is setback from the roads and will be screened from the townhouse property by mature trees and the proposed project screening as shown per the architectural and landscape plans in Appendix B.

Landscape areas

To accommodate the principle building, Section 6 Subsection 7.6, which regulates the width of landscape areas, is varied from 7.5 metres to 3.6 metres (along Highway 99) on the west side, from 3.5 metres to 0.72 metres (side yard) on the south side, and from 3.5 metres to 1.5 metres (side yard) on the north side as shown per the architectural and landscape plans in Appendix B. Staff supports these variance as it improves the street presence of the building and patio area in relation to Highway 99 and London Lane, accommodates the required parking and maneuvering aisle and is off set by the extensive landscaping and Valley Trail redevelopment in the right of way adjacent to the south and west side landscape areas.

To accommodate the recycling facilities, Section 6 Subsection 7.6, which regulates the width of landscape areas, is varied from 3 metres to 1.5 metres (rear yard) on the east side and from 3.5 metres to 1.5 metres (side yard) on the north side as shown per the architectural and landscape plans in Appendix B. Staff supports these variances as this location can accommodate pick up vehicles and it is setback from the street and will be screened by existing and proposed landscaping.

To accommodate the parking layout, Section 6 Subsection 7.6, which regulates the width of landscape areas, is varied from 3.5 metres to 1.5 metres (side yard) on the north side and 3 metres to 1.3 metres (rear yard) on the east side. Staff supports these variances to accommodate the required parking for the development as these spaces will be screened by existing and proposed landscaping.

Arterial Highway Setback and Height

To accommodate the location of the freestanding sign, Section 5 Subsection 17.2 of the Zoning Bylaw, which regulates the height of a structure in proximity to the corner of the parcel and a highway intersection to ensure visibility at the intersection, to be varied from 0.9 metres to 3 metres for the freestanding sign as shown per the architectural plans in Appendix B.

Staff supports this variance because the distance between the proposed sign and the paved highway at the corner of the subject parcel is in excess of 10 metres, therefore the sign will not interfere with the visibility at the intersection.

OCP Development Permit Guidelines

The development is consistent with the OCP design objectives and guidelines for a commercial development outlined in the OCP Development Permit Area: Whistler Creek. In summary the development achieves the following:

- Provides for a mixed commercial, residential, cultural and recreational character for visitors and residents on a year round basis.
- Building height, massing and setbacks ensure view corridors, view opportunities and solar access.
- Separates vehicular and pedestrian circulation.
- Provides visible outdoor activity areas and maximize sun penetration to them
- Valley Trail connections to be maintained and strengthened with the proposal
- Buildings and landscaping create a pleasing composition and cohesive look with defined public spaces, views into stores, with limited shade for comfort provided by the proposed table awnings.
- Streetscape elements include boulevard trees, lighting, planting and design which will withstand Whistler's harsh climatic conditions.
- Surface parking area which is screened by a combination of landscaping and berms.
- Promotes pedestrian-friendly aspect and street front entrance visible through the use of the pedestrian connections and seating areas as shown on the plans.

Staff has identified some details to be addressed as a condition of development permit approval to further ensure consistency with the development permit design guidelines. These are outlined in the applicant letter provided in Appendix "D".

Landscape Security

As a requirement of development permit, the municipality's Landscape Security for Development Policy G-9 requires submittal of a cost estimate of all hard and soft landscape works for municipal approval and submission of a security for 135% of the approved cost estimates. This is a condition of development permit approval and applies to both on-site and off-site improvements.

Green Building Policy

The applicant has submitted a Built Green Multi Checklist addressing site, landscape, energy, water, waste, materials and indoor environment objectives consistent with the municipality's Green Building Policy.

BUDGET CONSIDERATIONS

Budget implications associated with the proposed development relate to works and services charges to be collected at time of building permit application and future increase in tax revenues to be generated by the completion of the improvements to the commercial property.

COMMUNITY ENGAGEMENT AND CONSULTATION

An information sign has been posted on the property per Development Permit application requirements.

SUMMARY

This will be a highly visible development given the property's corner location adjacent to Highway 99 and London Lane. Staff supports the proposal with the requested variances as the proposal is a positive enhancement to the area by replacing the current vacant lot, providing major improvements to the Valley Trail, and landscaping the wide Highway 99 right of way. Through changes made as part of the application review it is considered an attractive development of a Whistler mountain character which is consistent with commercial developments in the area and creates multi-purpose landscaped areas with outdoor seating which address highway frontage, trail connectivity and gateway entrance design objectives to the Whistler Creek core commercial area.

Respectfully submitted,

Robert Brennan MCIP RPP
PLANNER

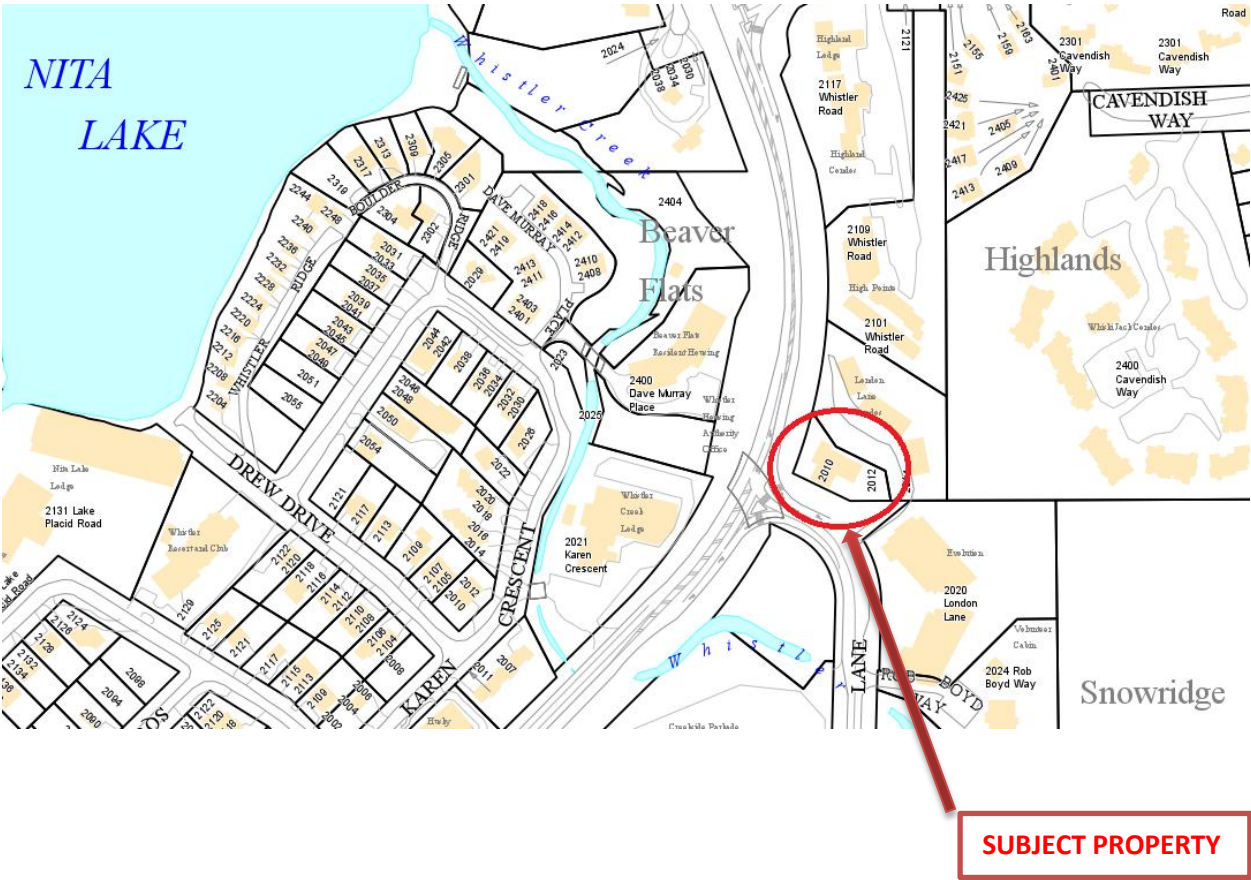
for

Dave Patterson

ACTING GENERAL MANAGER OF RESORT EXPERIENCE

Appendix A

LOCATION MAP - 2010 LONDON LANE





DRAWING LIST

ARCHITECTURAL:

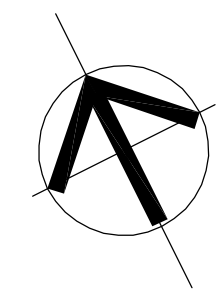
- A-0.0 COVER PAGE
- A-0.1 AERIAL AND EXISTING SITE PHOTOGRAPHS
- A-1.0 SURVEY
- A-1.1 CONTEXT PLAN
- A-1.2 SITE PLAN
- A-1.3 VARIANCE SITE PLAN
- A-2.1 ELEVATIONS
- A-3.1 SECTIONS
- A-4.1 PERSPECTIVES
- A-4.2 GARBAGE / RECYCLING ENCLOSURE
- PYLON SIGN

LANDSCAPE:

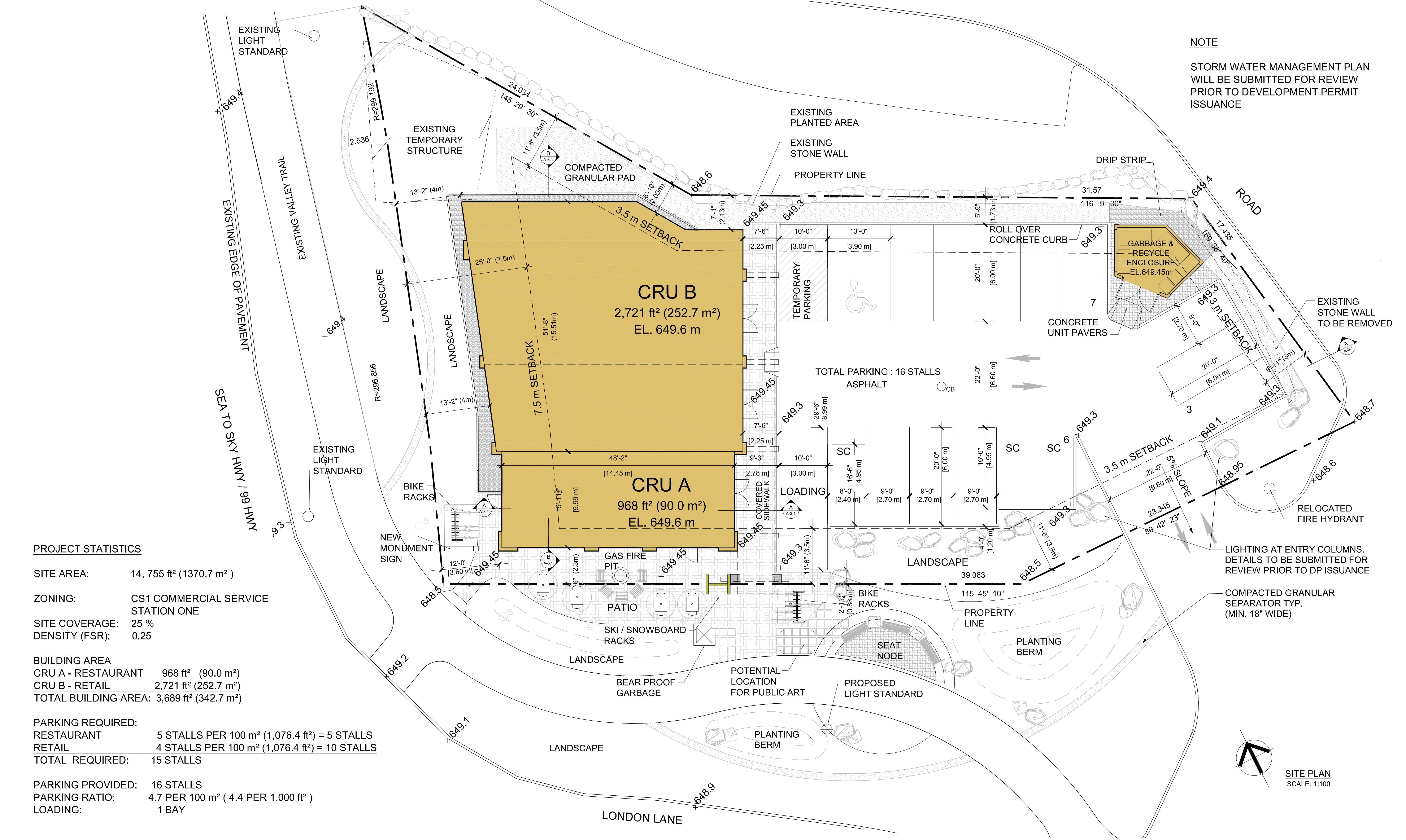
- L.1 LANDSCAPE LAYOUT PLAN
- L.2 LANDSCAPE & PLANTING PLAN
- L.3 LANDSCAPE CONCEPTUAL DETAILED PLAN

CIVIL:

- C.1 ROADWORKS PLAN
- C.2 SERVICING PLAN



CONTEXT PLAN
SCALE: 1:250



PROJECT STATISTICS

SITE AREA: 14, 755 ft² (1370.7 m²)

ZONING: CS1 COMMERCIAL SERVICE STATION ONE

SITE COVERAGE: 25 %

DENSITY (FSR): 0.25

BUILDING AREA

CRU A - RESTAURANT	968 ft² (90.0 m²)
CRU B - RETAIL	2,721 ft² (252.7 m²)
TOTAL BUILDING AREA:	3,689 ft² (342.7 m²)

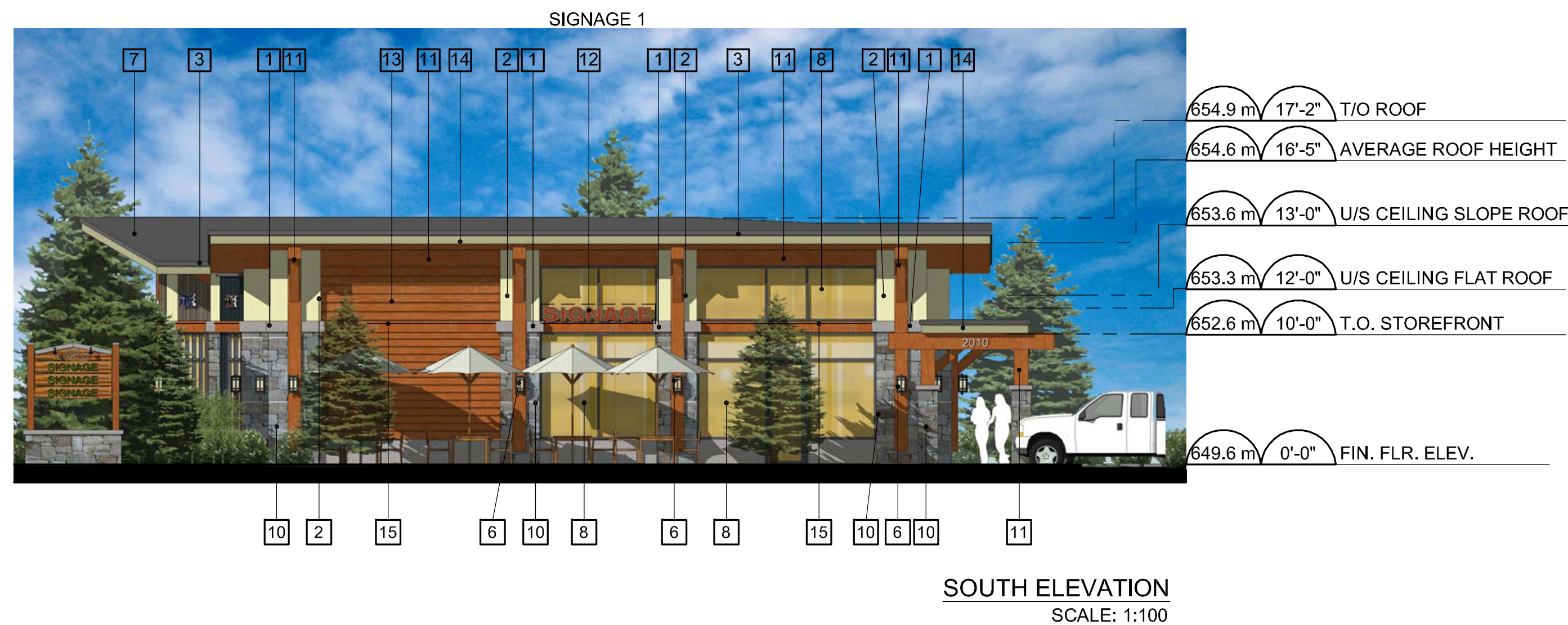
PARKING REQUIRED:

RESTAURANT	5 STALLS PER 100 m² (1,076.4 ft²) = 5 STALLS
RETAIL	4 STALLS PER 100 m² (1,076.4 ft²) = 10 STALLS
TOTAL REQUIRED:	15 STALLS

PARKING PROVIDED: 16 STALLS

PARKING RATIO: 4.7 PER 100 m² (4.4 PER 1,000 ft²)

LOADING: 1 BAY



FINISH LEGEND AND COLOUR SCHEDULE:

- | | | |
|--|---|--|
| 1 CONCRETE CAP - RAW CONCRETE COLOUR | 6 LIGHT FIXTURES | 11 TIMBER FRAME & WOOD TRIM. OLYMPIC STAIN SEMI-TRANSPARENT - 705 RUSSET |
| 2 STUCCO - COLOUR TO MATCH : BM HC-80 BLEEKER BEIGE | 7 ASPHALT MEMBRANE ROOF COLOUR: CHARCOAL GREY | 12 INDIVIDUAL LETTER TENANT SIGNAGE |
| 3 METAL FLASHING COLOUR: QC8306 CHARCOAL | 8 STOREFRONT CLEAR GLAZING IN BLACK ANODIZED ALUMINUM FRAME | 13 HORIZONTAL WOOD SIDING. OLYMPIC STAIN SEMI-TRANSPARENT - 705 RUSSET |
| 4 HARDIE VERTICAL BOARD & BATTEN SIDING - SELECT CEDARMILL . COLOUR TO MATCH: EVENING BLUE | 9 CONCRETE UPSTAND TEXTURED FORMWORK FINISH | 14 WOOD FASCIA - PAINTED BM HC-108 SANDY HOOK GRAY |
| 5 HARDIE VERTICAL BOARD & BATTEN SIDING - SELECT CEDARMILL . COLOUR TO MATCH: KHAKI BROWN | 10 GRANITE NATURAL STONE. COLOUR: GREY | 15 METAL CAP FLASHING COLOUR TO MATCH WOOD MEMBERS |

EAST ELEVATION

PERMITTED:

FACADE AREA	TOTAL SIGN AREA
100%	PERMITTED 10%
88.5 m ²	8.85 m ²

PROPOSED :

SIGNAGE 1	0.74 m x 2.69 m	2.0 m ²
SIGNAGE 2	0.74 m x 2.69 m	2.0 m ²
SIGNAGE 3	0.74 m x 2.69 m	2.0 m ²
TOTAL		6.0 m ²

NOTE:
ALL SIGNAGE TO BE HIGH QUALITY MATERIALS AND MOUNTING, TEXTURED AND DURABLE.
SOUTH AND WEST ELEVATIONS SIGNAGE TO BE INDIVIDUAL LETTERS AND/OR LOGOS. BACK LIT
EAST ELEVATION SIGNAGE TO BE WOOD AS PER TENANT REQUIREMENTS WITH TASK LIGHTING TYPE
ALL SIGNAGE TO CONFORM WITH DESIGN GUIDELINES
THE COMPREHENSIVE SIGNAGE PACKAGE MAY BE SUBMITTED SEPARATELY.

SOUTH ELEVATION

PERMITTED:

FACADE AREA	TOTAL SIGN AREA
100%	PERMITTED 10%
68.5 m ²	6.85 m ²

PROPOSED :

SIGNAGE 1	0.74 m x 2.69 m	2.0 m ²
-----------	-----------------	--------------------

WEST ELEVATION

PERMITTED:

FACADE AREA	TOTAL SIGN AREA
100%	PERMITTED 10%
98.1 m ²	9.81 m ²

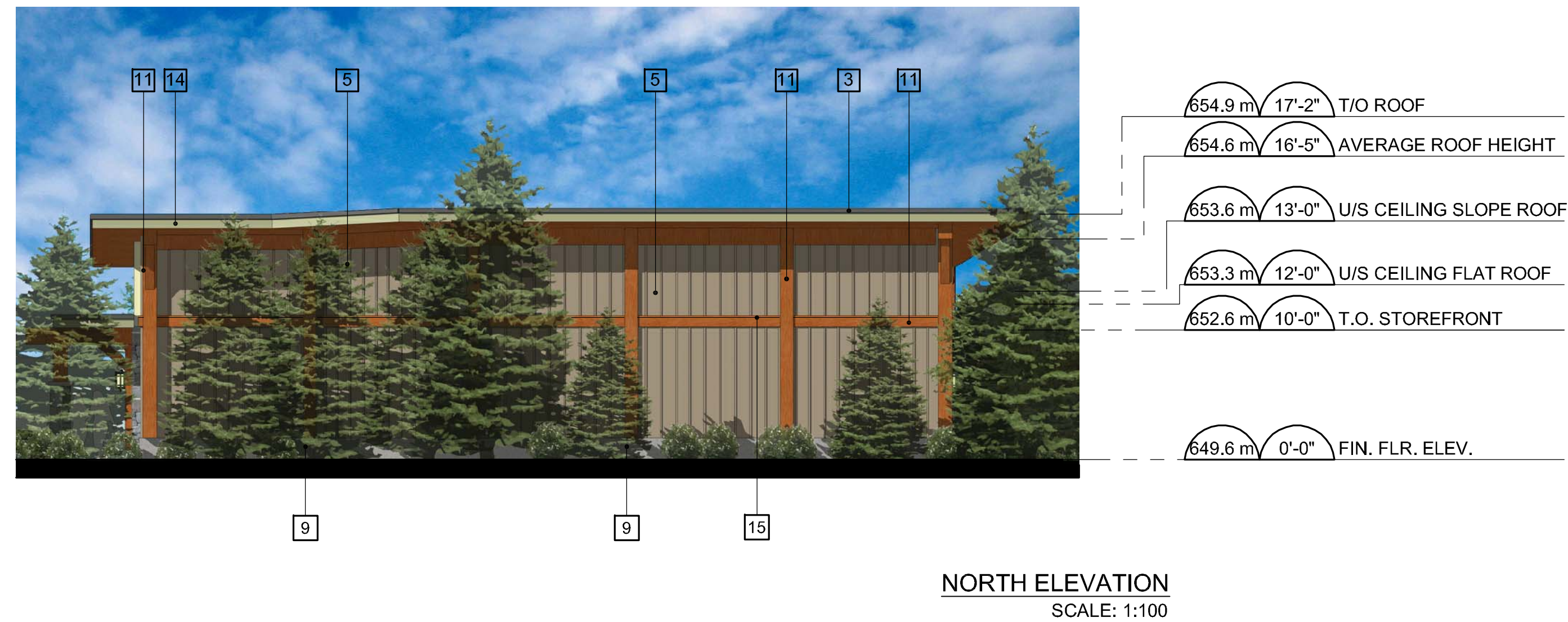
PROPOSED :

SIGNAGE 1	0.74 m x 2.69 m	2.0 m ²
SIGNAGE 2	0.74 m x 2.69 m	2.0 m ²
SIGNAGE 3	0.74 m x 2.69 m	2.0 m ²
TOTAL		6.0 m ²

NOTE:
ALL OUTDOOR LIGHTING TO BE CONSISTENT WITH OCP GUIDELINES AND SHOULD BE FOR SAFE PEDESTRIAN PASSAGE AND PROPERTY IDENTIFICATION, LIMITED SEASONAL FESTIVE LIGHTING, ARCHITECTURAL AND LANDSCAPE FEATURE LIGHTING.
ACCEPTABLE FIXTURES ARE FULL CUTOFF AND FULLY SHIELDED FIXTURES THAT SHIELD THE LIGHT SOURCE TO REDUCE GLARE AND NOT OVER-POWER THE NIGHTSCAPE WHILE OF SUFFICIENT INTENSITY TO PROVIDE SAFE PEDESTRIAN PASSAGE

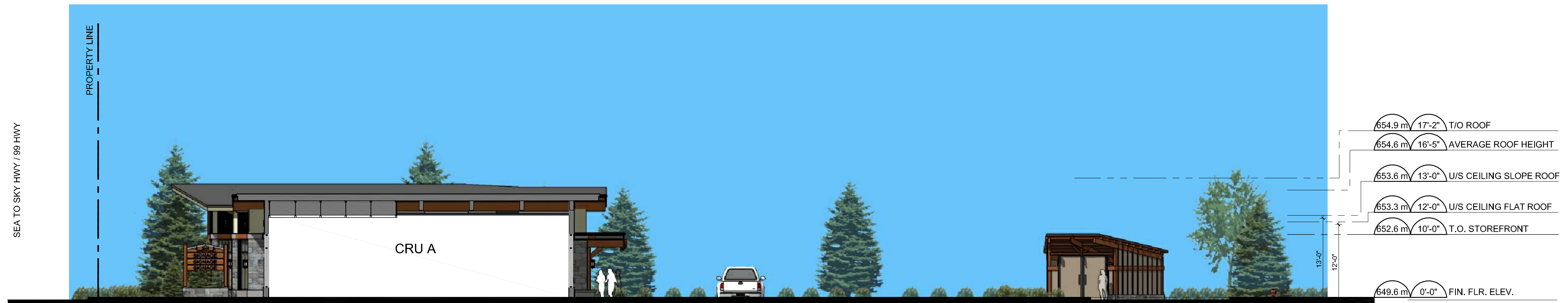


TYPICAL SIGNAGE DETAIL
SCALE: NTS

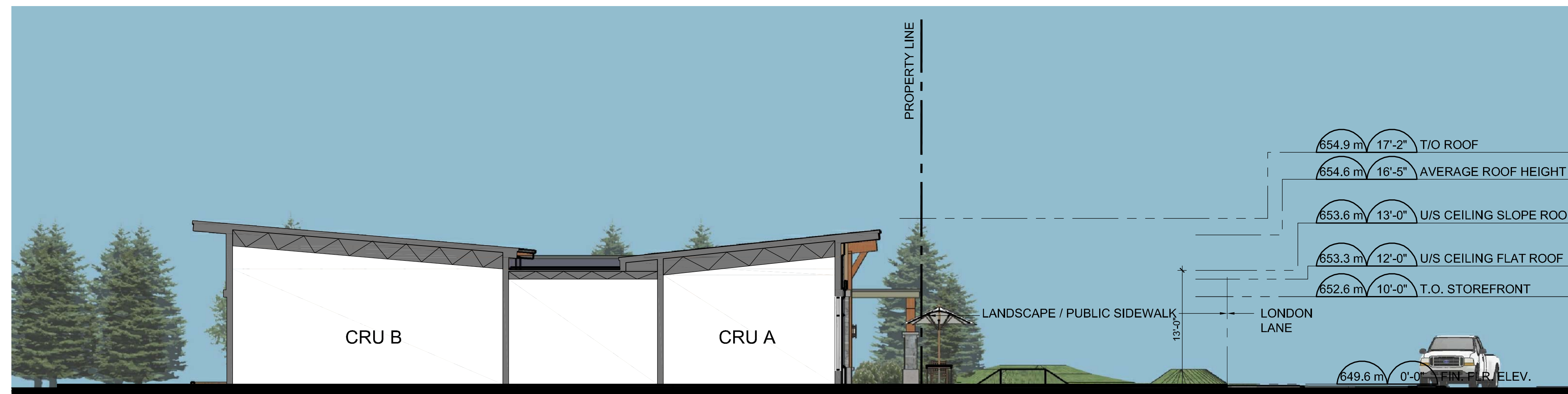


ELEVATIONS

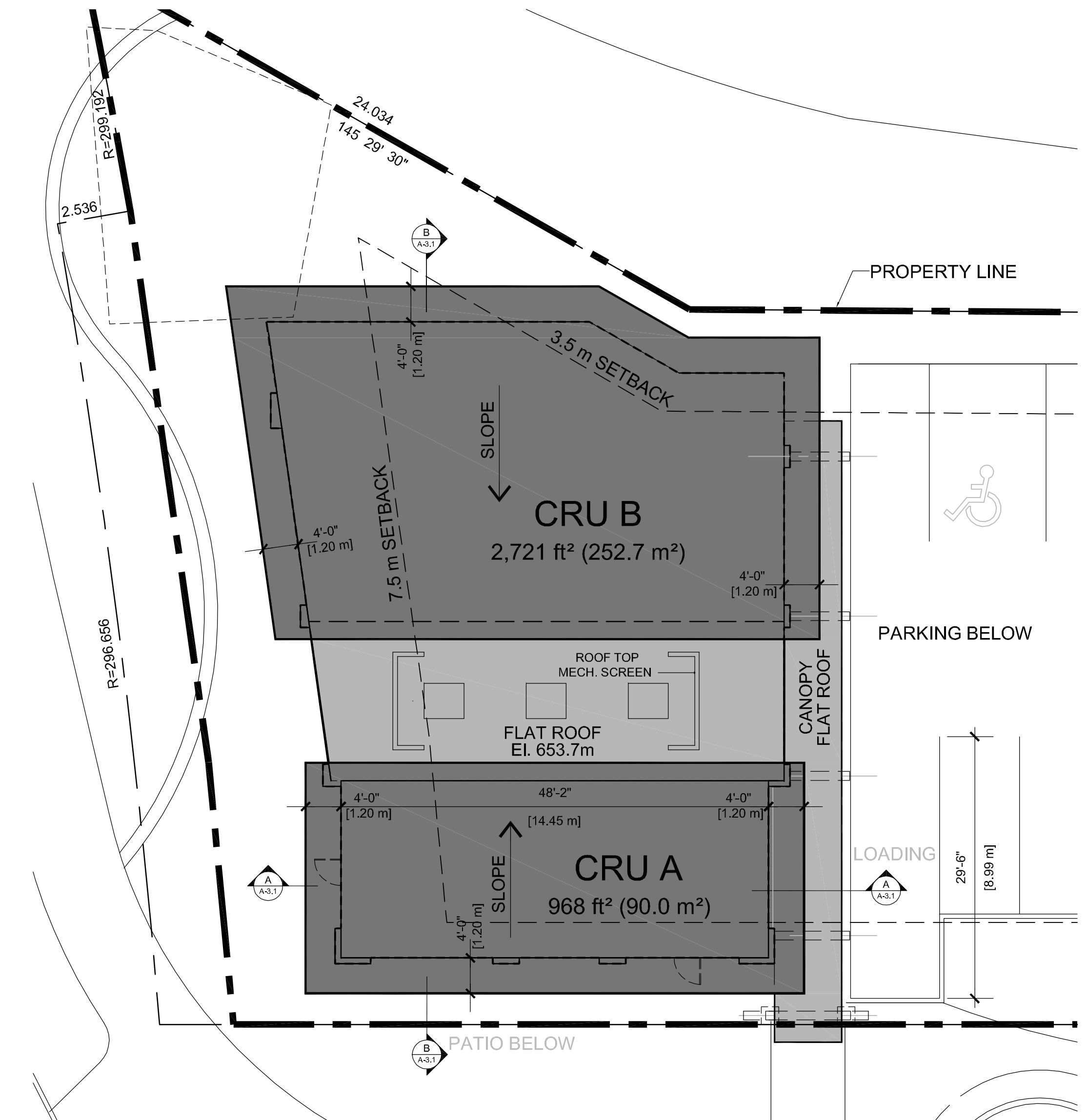
Date: JANUARY 31, 2014
Scale: 1:100
Project #: 13015



SECTION A-A
SCALE: 1:100



SECTION B-B
SCALE: 1:100



ROOF PLAN
SCALE: 1:100



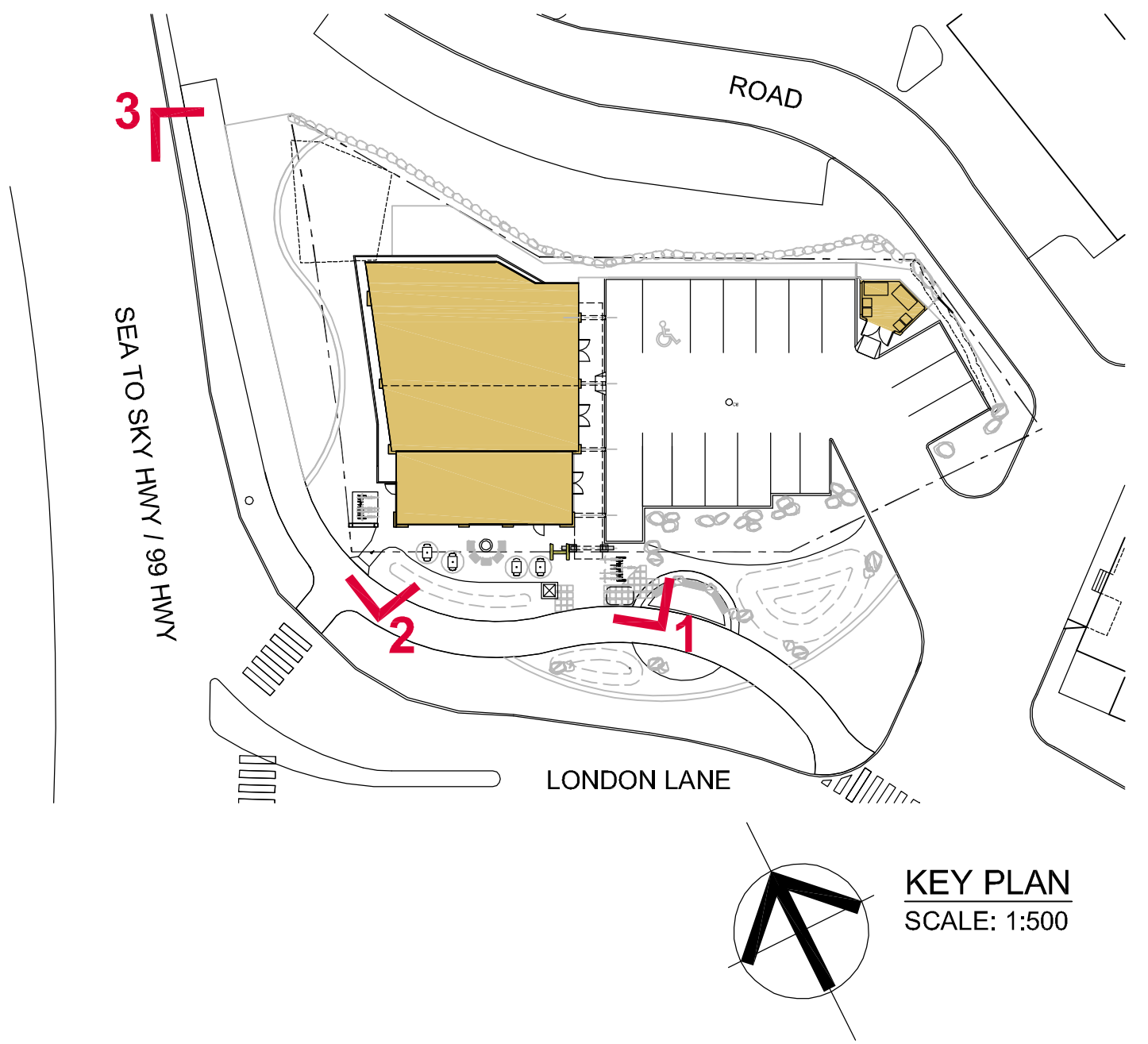
PERSPECTIVE 1
SCALE: NTS



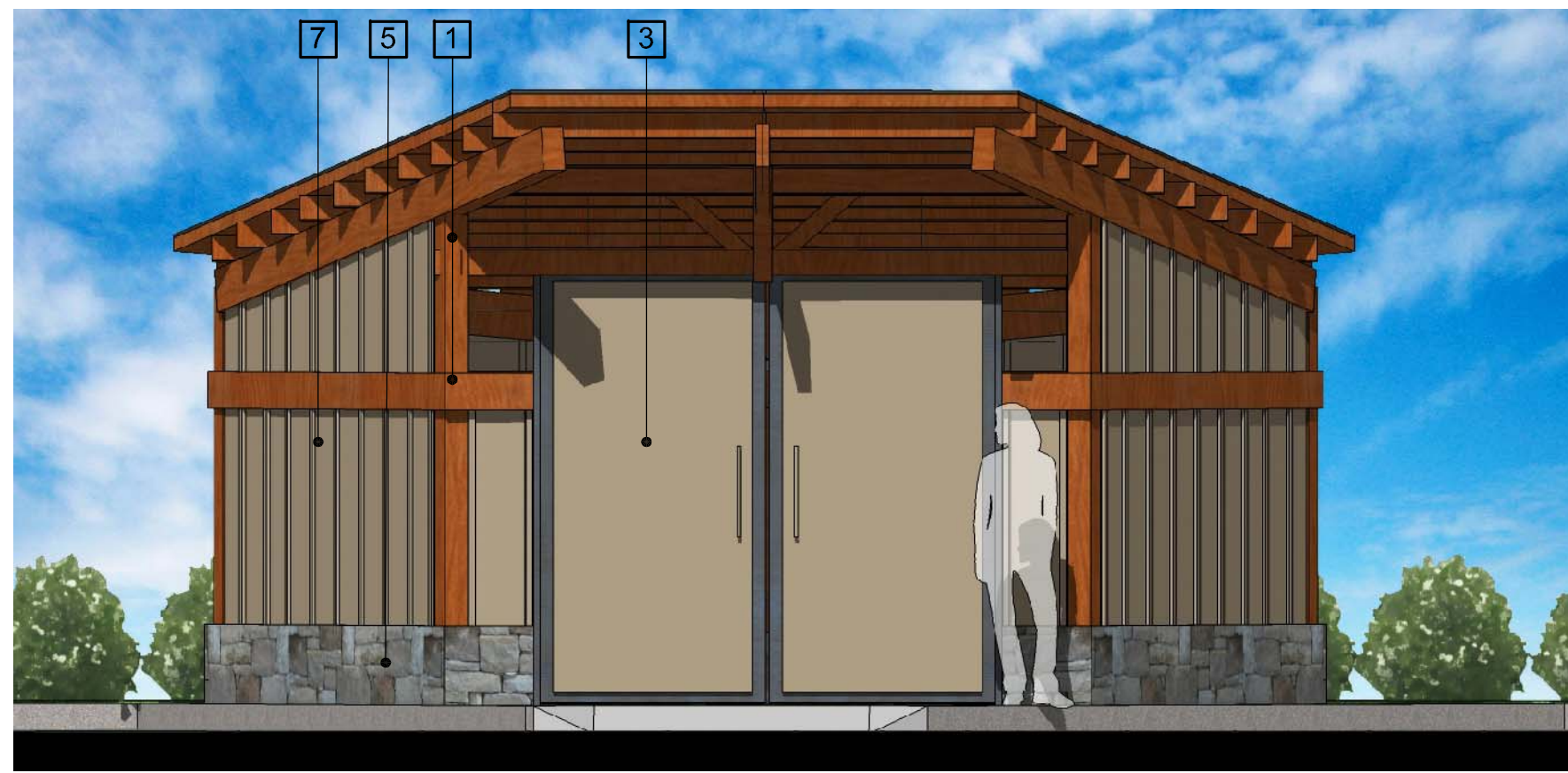
PERSPECTIVE 2
SCALE: NTS



PERSPECTIVE 3
SCALE: NTS



KEY PLAN
SCALE: 1:500



GARBAGE ENCLOSURE WEST ELEVATION
SCALE: 1:50



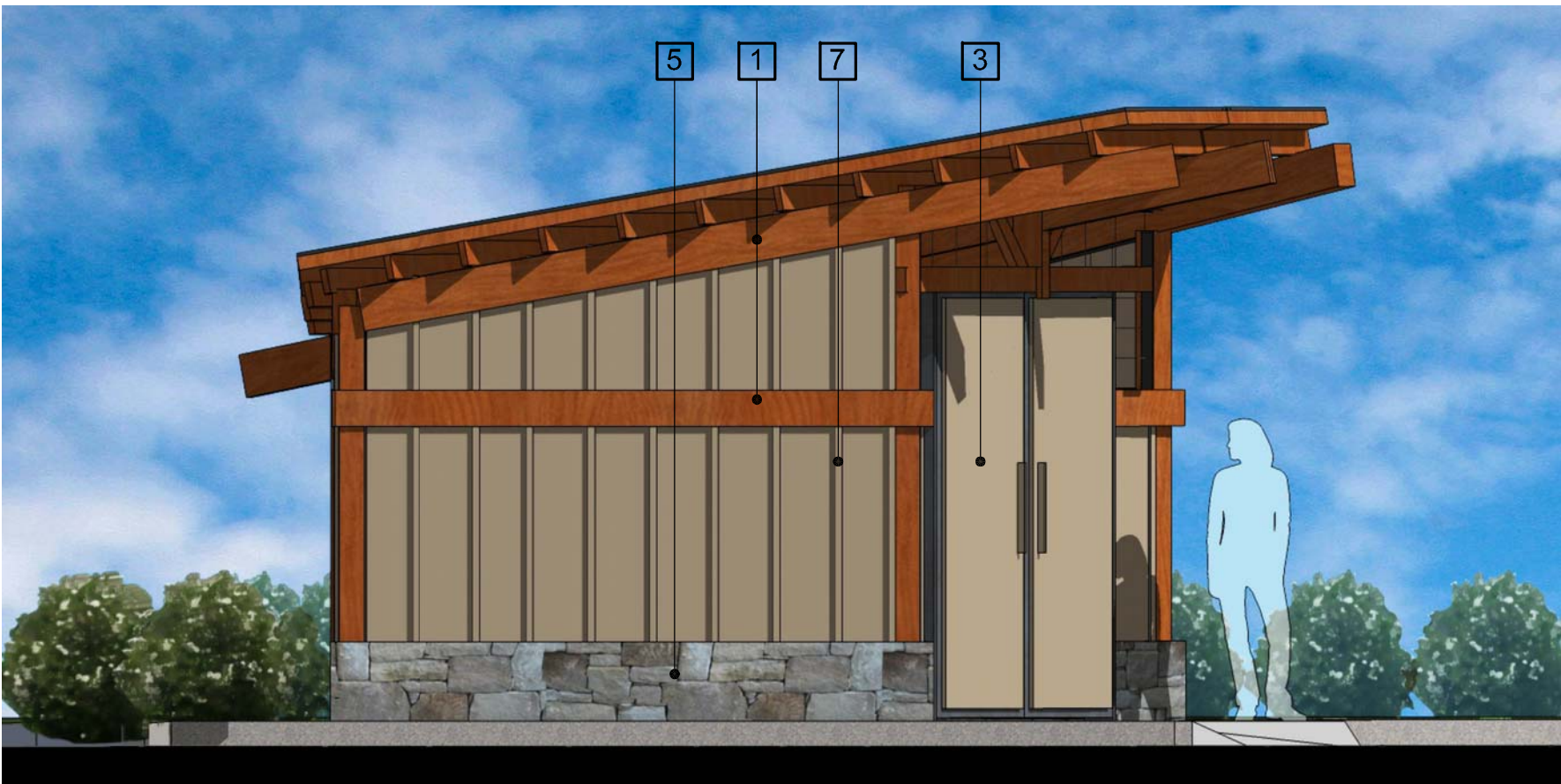
GARBAGE ENCLOSURE SOUTH ELEVATION
SCALE: 1:50



GARBAGE ENCLOSURE PERSPECTIVE 1
SCALE: NTS



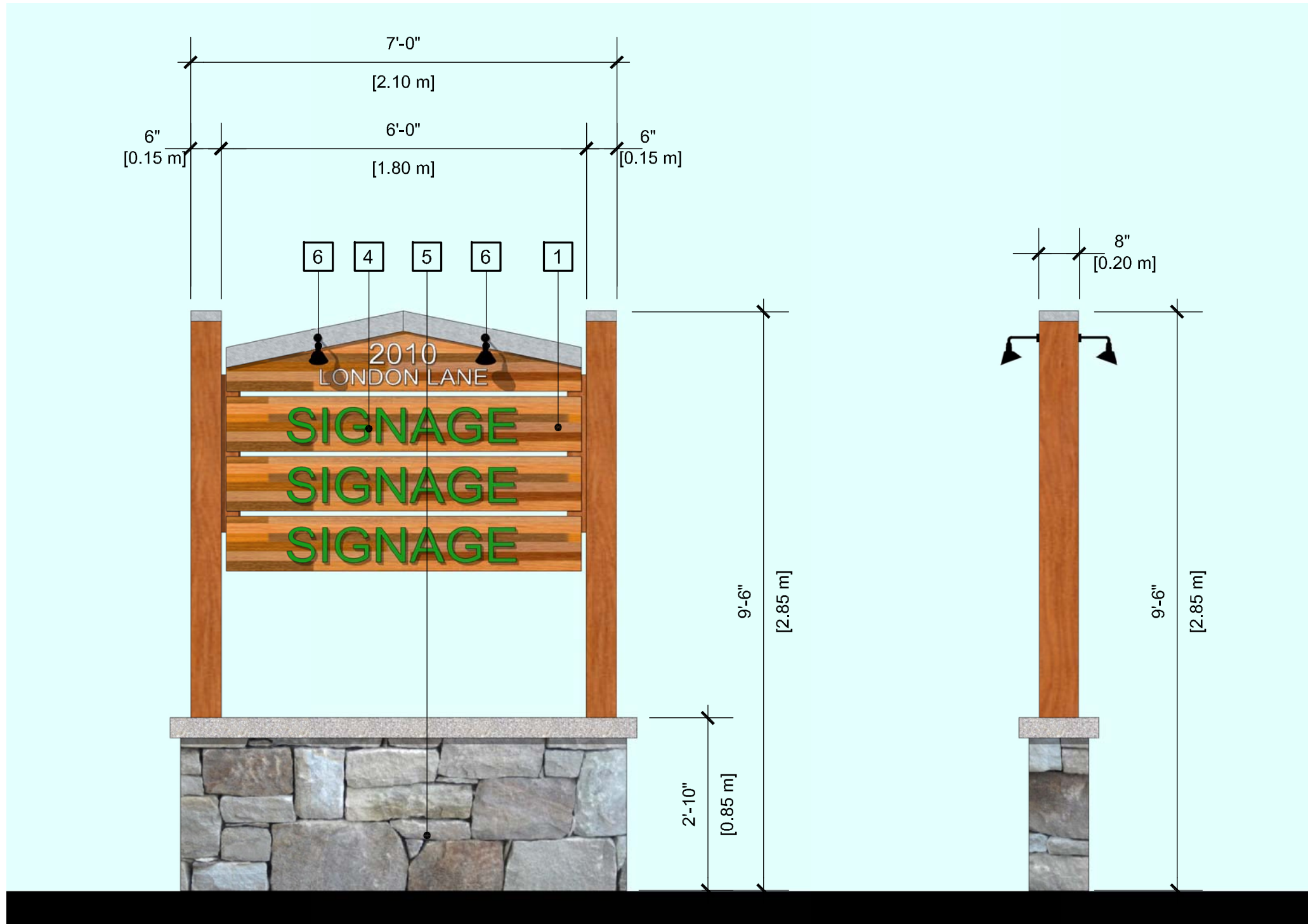
GARBAGE ENCLOSURE EAST ELEVATION
SCALE: 1:50



GARBAGE ENCLOSURE NORTH ELEVATION
SCALE: 1:50

FINISH LEGEND AND COLOUR SCHEDULE:

- 1 WOOD, OLYMPIC STAINS
SEMI-TRANSPARENT - 700 SIERRA
- 2 ASPHALT MEMBRANE ROOF
CHARCOAL GREY COLOUR
- 3 STEEL DOOR, PAINTED
COLOUR TO MATCH KHAKI BROWN
- 4 TENANT SIGNAGE
- 5 GRANITE STONE
- 6 LIGHT FIXTURES
- 7 HARDIE VERTICAL BOARD & BATTEN
SIDING - SELECT CEDARMILL, COLOUR
TO MATCH: KHAKI BROWN



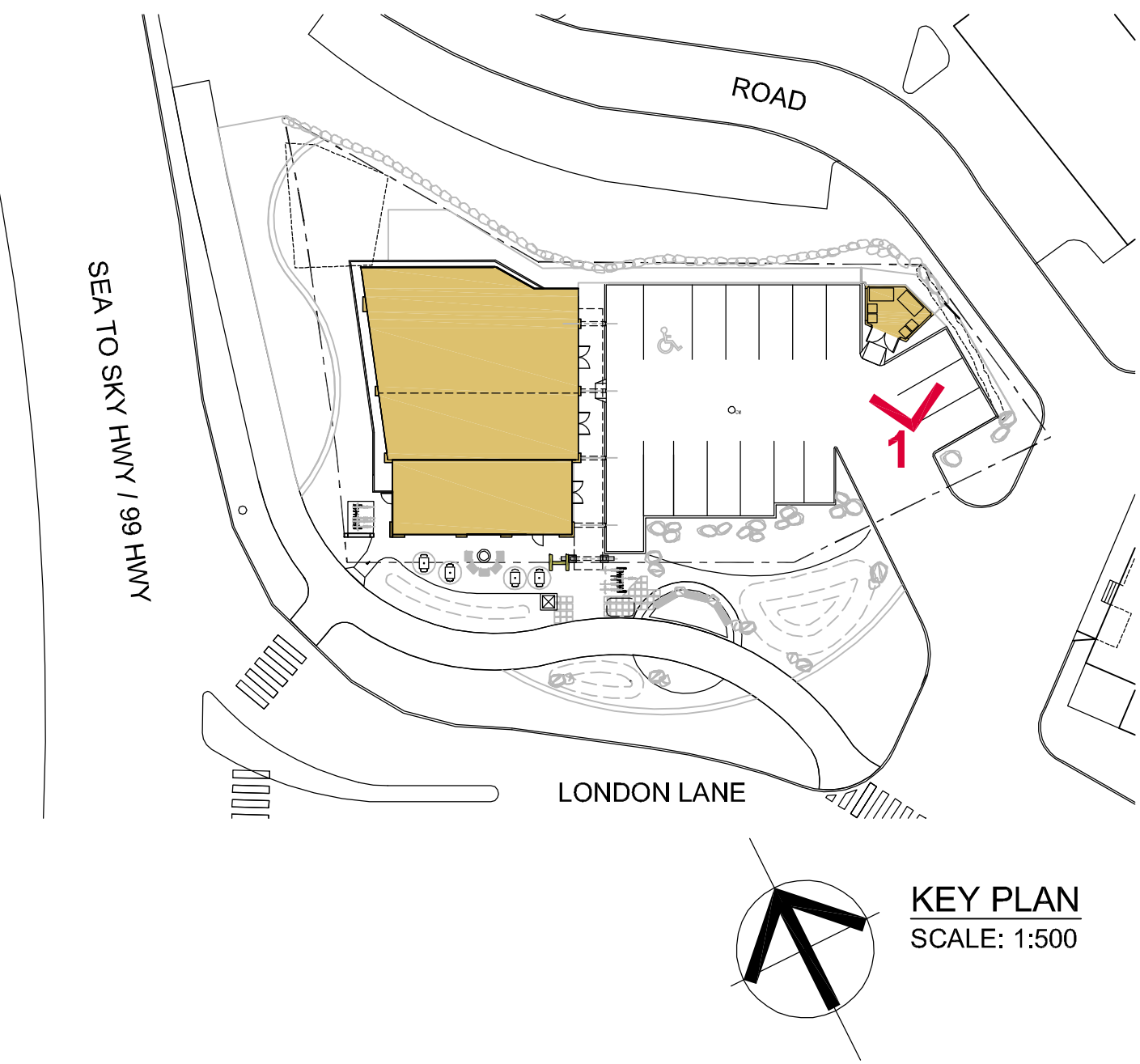
MONUMENT SIGN ELEVATIONS
SCALE: 1:25



MONUMENT SIGN PERSPECTIVES
SCALE: NTS

MONUMENT SIGN AREA
CALCULATIONS PER SIDE:

PERMITTED:			
MAX. AREA			3 m ²
MAX. AREA WITH STRUCTURE			4 m ²
PROPOSED :			
SIGNAGE 1	0.4 m x 1.9 m	0.8 m ²	
SIGNAGE 2	0.4 m x 1.9 m	0.8 m ²	
SIGNAGE 3	0.4 m x 1.9 m	0.8 m ²	
TOTAL AREA		2.4 m ²	
TOTAL AREA WITH STRUCTURE		3.95 m ²	



KEY PLAN
SCALE: 1:500



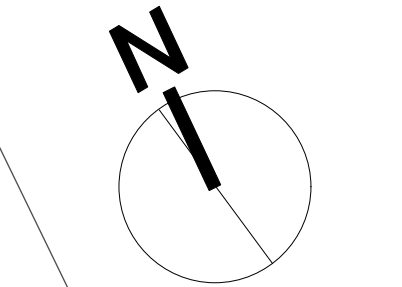
General Notes

1. All materials and execution of landscape works shall conform to the BCSLA/BCNTA Landscape standard. The standard for level of maintenance:
 - lawns shall be "well groomed" BCNTA/BCSLA and installed w/ RMOW recommended 50/50 Kentucky Bluegrass/Perennial Ryegrass based sod or 100% Kentucky Blue (no netting used) - option for 'Ecolawn' to be discussed and approved by RMOW Parks Dept.
 - all shrub/tree areas to "groomed" standard
2. Irrigation: Planted areas must incorporate programmable automatic irrigation system to current IABC and BCNTA standards as per Whistler's OCP. Hanging planters on to be automatically irrigated. Hanging planters on light posts to incorporate drip irrigation (irrigation lines should be concealed). Irrigation system to incorporate a rain sensor/switch.
2. Ensure positive drainage behind all walls and throughout site. All landscaped areas and pathways must maintain min. 2% positive drainage away from buildings.
3. Where soft landscape areas meet building foundation wall, min. 12-18" wide gravel drip strip to be installed at landscape grade.
4. Do not construct from these drawings unless marked "issued for construction".
5. All landscape works to be performed under this contract to meet the applicable provisions and recommendations set forth in the Master Municipal Specifications & Standards Details/BO Landscape Standards and respect all Municipal Bylaws.
6. The latest edition of the standards and codes referenced in these notes and on the landscape drawings shall apply.
7. The existing conditions were compiled from base plans of the site prepared by others. Although every effort has been made to accurately locate all conditions, actual conditions may vary from those shown. The contractor shall make a full review of all existing conditions of the site and shall report discrepancies to the landscape architect before starting work. The contractor shall assume responsibility for actual conditions as they exist on site.
8. The landscape contractor shall be responsible for visiting the site to determine the extent of demolition, preparation, and removals necessary (whether shown on the drawings or not) to construct the proposed site improvements. The landscape contractor shall report, in writing, any discrepancies between the existing and proposed work to the landscape architect prior to proceeding with construction. Failure to inspect, notice, or report these discrepancies prior to construction shall not relieve the landscape contractor from their responsibility to perform the necessary operation for the successful completion of the proposed improvements without any changes to fee.
9. The landscape contractor shall verify dimensions shown on the drawings and notify the landscape architect of any discrepancies prior to the start of the final layout prior to construction.
10. Contractor to repair any damage resulting from work on site.
11. The landscape contractor shall refer any questions on materials, finishes, labour and/or products specified herein to the landscape architect.

MATERIALS LEGEND

- proposed grade (from Forma)
- Existing Grade (from Creus Eng.)
- PL
- Compacted Granular Rock Surface
- Drip Strip
- Concrete Unit Pavers
- Lawn (sodded)

NOTE:
All final grades to be verified and coordinated with civil engineer at Building Permit submission.



FORMA DESIGN INC.
www.formadesign.ca

209-828 Harbourside Dr.
North Vancouver
British Columbia
Canada V7P 3R9
tel 604-986-9193
fax 604-986-7320

- revisions:
1. for review aug. 26th, 2013
 2. issue for DP Aug 29, 2013
 3. Draft for coordination w/ consultants November 4, 2013
 4. Draft for coordination w/ consultants November 5, 2013
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consultants:
Chandler Associates
Creus Engineering

project:
LONDON LANE
COMMERCIAL PROJECT

Whistler, BC

title:
GRADING/LAYOUT PLAN

drawn:
checked:
date:
scale:

13.032
1/25

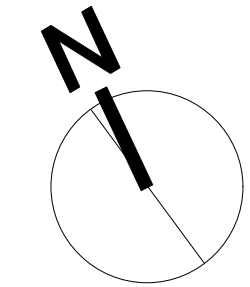
project no:
sheet no:
13.032
L1 of 3

TO SKY HIGHWAY



PLANT LIST					
ID	Latin Name	Common Name	Quantity	Scheduled Size	Notes
TREES (DECIDUOUS & CONIFEROUS)					
AK	Abies Koreana	Korean Fir	7	#10 pot	
AT	Acer rubrum "Red Sunset"	"Red Sunset" Maple	9	5cm cal.	
POP1	Picea omorika	Serbian Spruce	2	2.5m	
POP2	Picea omorika	Serbian Spruce	3	1.8m	
POP2	Populus tremuloides	Quaking Aspen	6	4cm cal	Specimen Grade Multi-stem
POP1	Populus tremuloides	Quaking Aspen	3	3.5m	Specimen Grade low stem
TP2	Thuja plicata "Johnsen Select"	Johnsen Select Western Red Cedar	3	2.0m ht.	
TP1	Thuja plicata "Johnsen Select"	Johnsen Select Western Red Cedar	3	1.5m ht.	
TSM1	Tsuga mertensiana	Mountain Hemlock	2	2.0m ht.	
TSM2	Tsuga mertensiana	Mountain Hemlock	2	1.8m ht.	
SHRUBS					
Cof	Cornus sericea "Flaviramea"	Yellow Twig Dogwood	56	#2 pot	
Csk	Cornus sericea "Kelsey"	Kelsey's Dwarf Red-Osier Dogwood	186	#1 pot	
Phs	Physocarpus opulifolius "Centre Glow"	Centre Glow Ninebark	21	#2 pot	
Ro2	Rosa rugosa "Blanc de Coulbert"	White Rugosa rose	100	#3 pot	
Spa	Spiraea x bumalda "Anthony Waterer"	Anthony Waterer Spiraea	109	#3 pot	
PERENNIALS & GROUNDCOVERS					
am	Achillea x "Moonshine"	Moonshine Yarrow	114	#1 pot	
ar	Arctostaphylos uva-ursi "Yancouver Jade"	Bearberry, Kinnikinnick	588	#1 pot	
ep	Echinacea purpurea	Purple Coneflower	106	#1 pot	
ld	Ligularia dentata	Bigleaf Ligularia	5	#1 pot	
ORNAMENTAL GRASSES/VINES					
ckf	Calamagrostis x acutiflora "Karl Foerster"	Karl Foerster Feather Reed Grass	80	#1 pot	
des	Deschampsia caespitosa	Tufted Hair Grass	110	#1 pot	
helo	Helictotrichon sempervirens	Blue Oat Grass	260	#1 pot	
ph	Pantheronocissus quinquefolia	Virginia Creeper	1	#1 pot	

MATERIALS LEGEND	
	proposed grade (from Forma)
	Existing Grade (from Creus Eng.)
	PL
	Compacted Granular Rock Surface
	Drip Strip
	Concrete Unit Pavers
	Lawn (sodded)



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 11. submit for DP Jan 30, 2016

consultants:

Chandler Associates
Creus Engineering

project:

LONDON LANE
COMMERCIAL PROJECT

Whistler, BC

title:

LANDSCAPE PLANTING PLAN

drawn:
checked:
date:
scale:

TPR
BY
AUGUST 28 2015
1:500

project no:
13.032

sheet no:
L2 of 3

Planting Notes

1. All materials and execution of landscape works shall conform to the BCSLA/BCNTA Landscape standard. Refer to written specifications for complete landscape documentation.

3. The Landscape Contractor shall ensure that the on-site planting medium/soil meets the specification and recommendations of the soil analysis taken at the time of Substantial Completion. All recommendations of the soil analysis shall be executed prior to Final Acceptance of the landscape works by the Consultant and the municipal authorities.

4. Minimum planting medium depths:

lawn - 6"/150mm
groundcover - 12"/300 mm
shrubs - 18"/450 mm
trees - 24"/600 mm (around and beneath rootball)/12"/300 mm on slab

5. All plant material shall meet minimum size requirements as indicated on plant list. Quality of plant material and grading of site to conform to BCNTA standard for container grown stock.

6. Discrepancies between plant numbers on the plant list and on the plan should be reported to the landscape architect prior to ordering plant material. In the case where there is a discrepancy between plant numbers on the plant list and on the plan, the plan shall supercede the list.

7. All plant material to be supplied on the job site must be obtained from a nursery participating in the BCLNA Phytophthora ramorum Certification Program. Plant material provided by the contractor found to be carrying Pr will be removed, disposed of and replaced at the contractor's expense.

8. Tree Protection Measures
Where construction, demolition, or excavation is to take place within 4m of the drip line of a tree to be retained, a protection barrier at least 4" (1.2m) in height must be installed around the tree or group of trees to be retained. The diameter of the barrier shall be no smaller than the drip line of the tree(s). The barrier must be constructed of snow fencing staked every 3' (1m), plywood sheets fastened to wooden stakes or of another form approved by the municipality. The barrier shall be constructed prior to any site work and remain intact until all construction is complete. The barrier shall clearly display all-weather signage indicating that the area is a protected zone. Any work which must be done within the protection zone is to be done by hand. No burning is to take place close enough for the flames or heat to damage any tree to be retained.

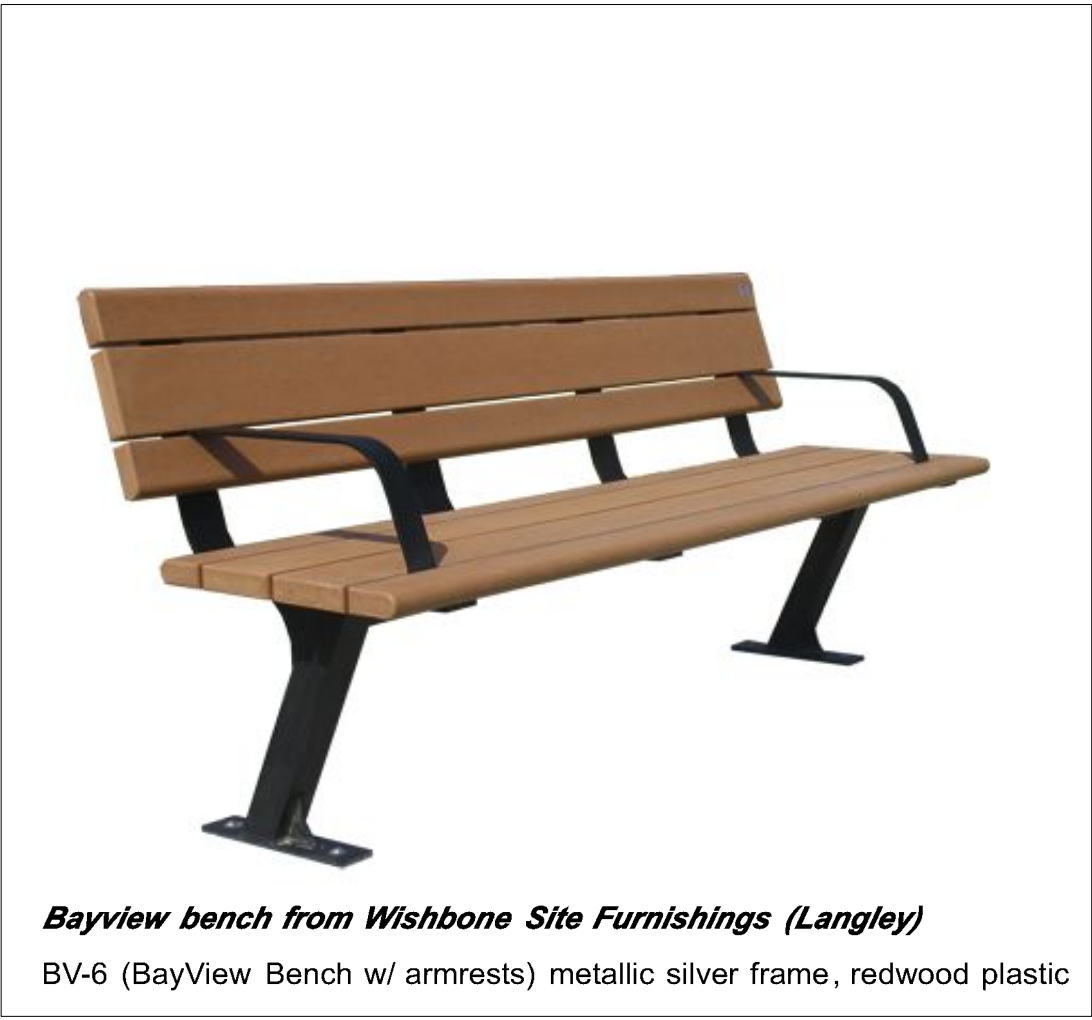
9. Obstructions - If obstructions or other conditions detrimental to healthy plant growth are encountered, notify the landscape architect and request additional instructions.
10. Plants shall be nursery grown under climatic conditions similar to those in the location of the project. Plants shall be healthy, vigorous and of normal habit of growth for the species. They shall be free from diseases, insects, insect eggs and larvae and shall equal or exceed the size indicated on the plant list. The plants shall not be pruned prior to delivery except upon special approval.



Proposed Seating Node - Granite Blocks in Blue Oat Grass Between Benches



Outdoor Granite Firepit



Bayview bench from Wishbone Site Furnishings (Langley)
BV-6 (BayView Bench w/ armrests) metallic silver frame, redwood plastic



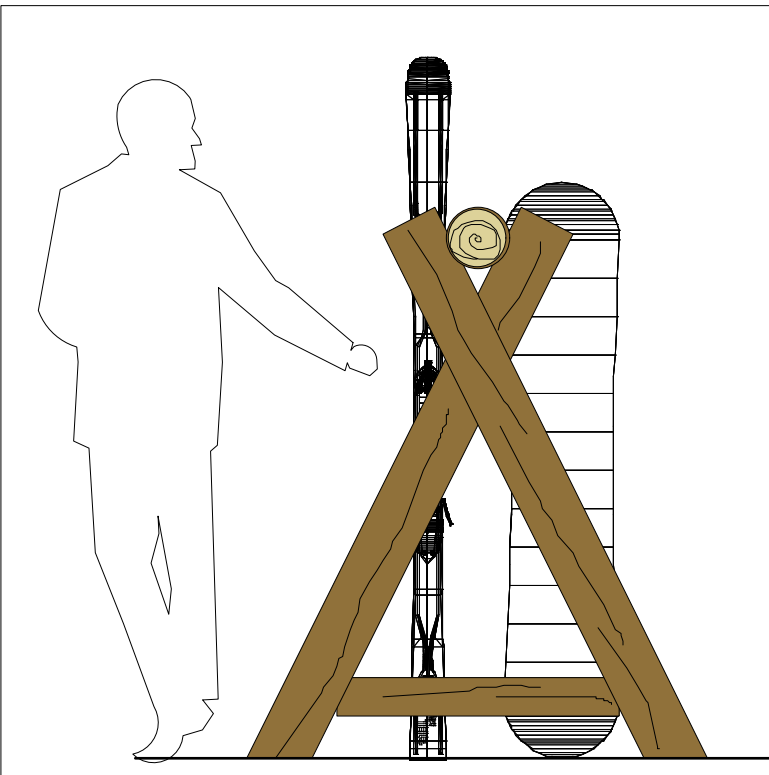
Product ID: HBI Single Container, Refuse, BC Special
Finish: Neufeldt Green
Available From: Rollins Machinery
Contact: web- www.rollinsmachinery.ca, phone- 604.533.0048



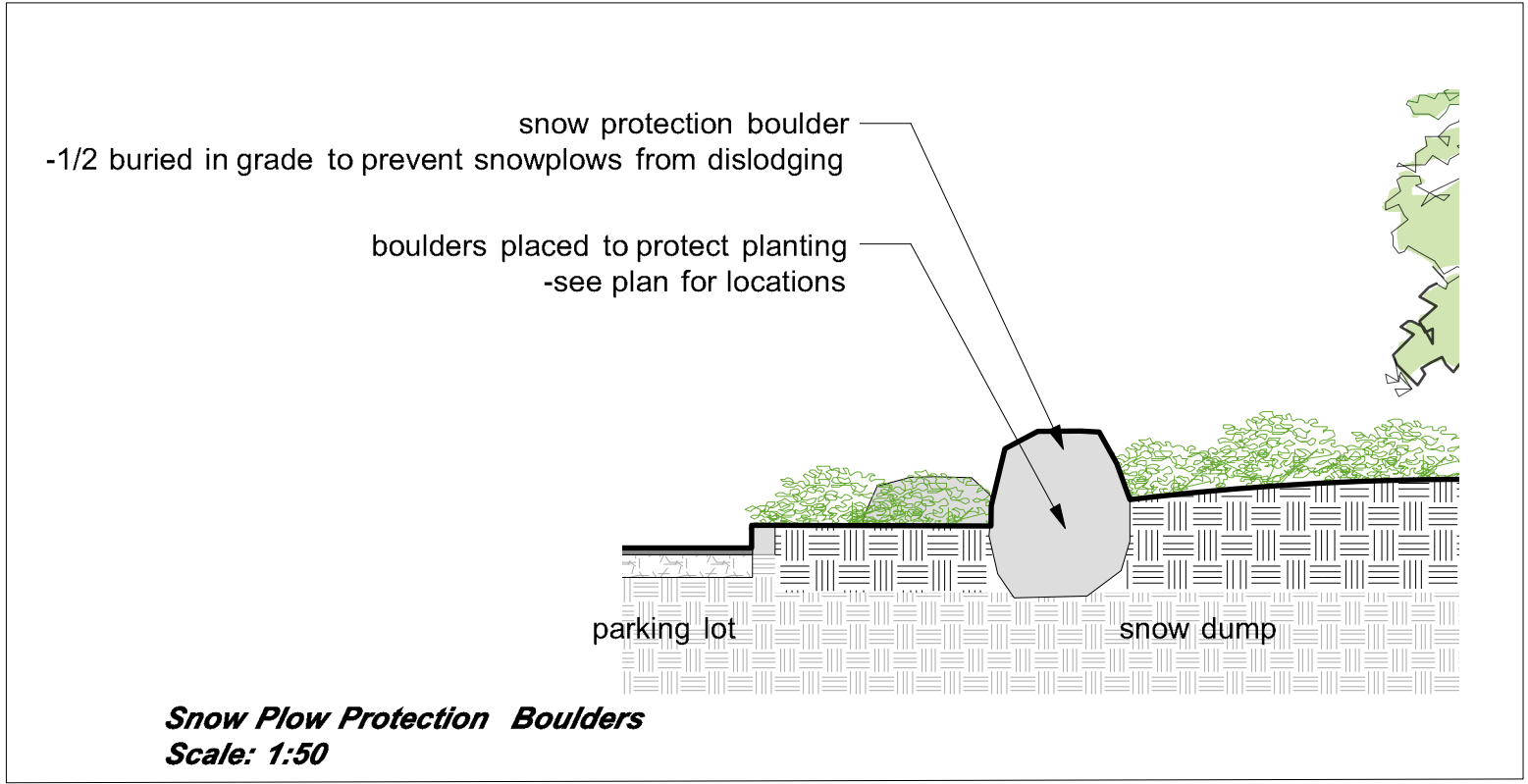
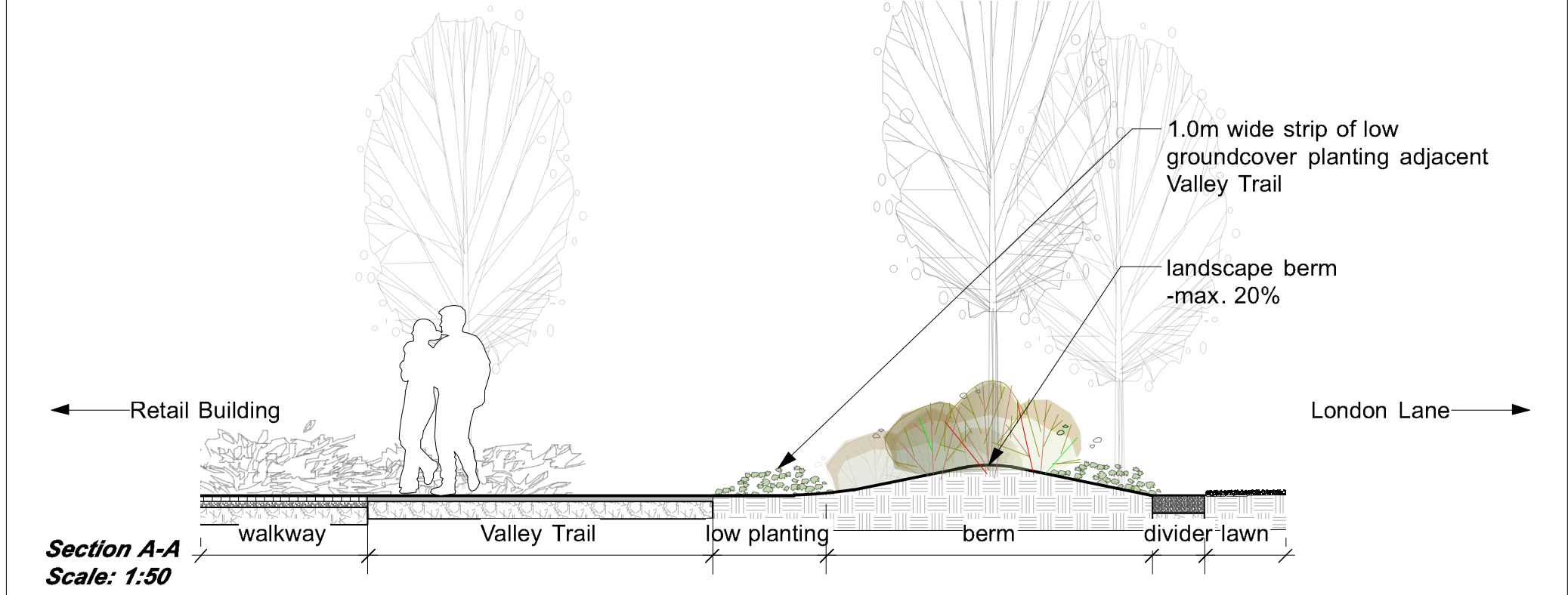
Notes:
1. to be wheelchair accessible
2. install as per manufacturer's specifications
3. trash receptacle and hydro transformer to be c/w vinyl wrap forest plant motif - images to district approval
4. to be bolted to concrete slab - see eng. drawings



Expo Bike Rack from Cora
colour: Midnight Blue
size: 2.0m



Custom Outdoor Ski/Snowboard Rack - heavy timber w/ dowels for ski/board s



Coniferous and Deciduous Trees



Acer rubrum 'Red Sunset'



Populus tremuloides



Picea omorika



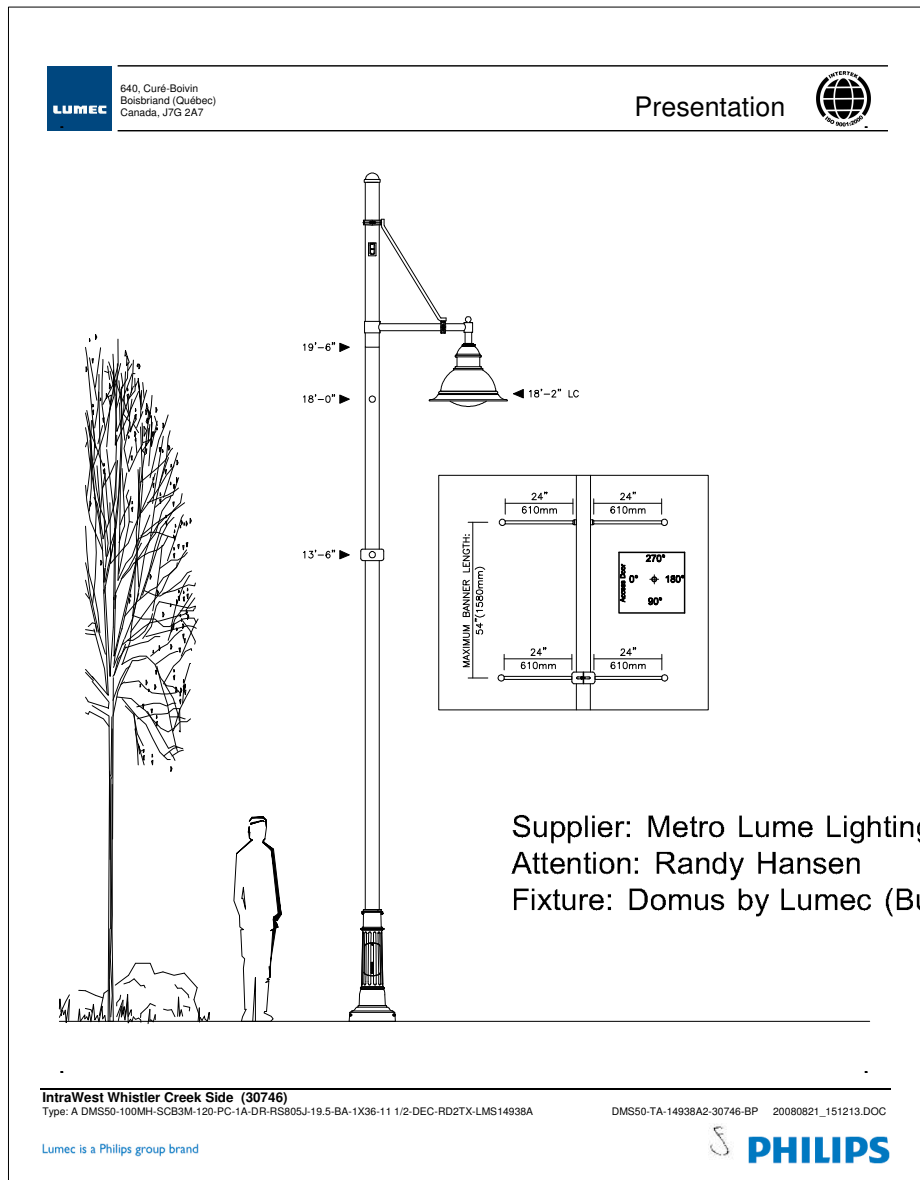
Cornus sericea 'Kelsey'



Spiraea 'Anthony Waterer'



Arctostaphylos uva-ursi 'Vancouver Jade'



Pole Fixture - to RMOW Standard
Scale: NTS

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Whistler, BC

title:
LANDSCAPE CONCEPTUAL
DETAILS PLAN

drawn:
checked:
date:
scale:

drawn:
checked:
date:
scale:

project no:
13.032

sheet no:
L3 of 3



'Physocarpus 'Centre Glow'



'Calamagrostis acutiflora 'Karl Forrester'



Helictotrichon sempervirens



Rosa rugosa 'Blanc de Coubert'

Meadow Like Planting (snow dump)



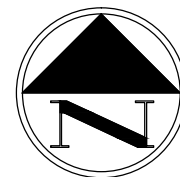
Achillea 'Moonshine'



Echinacea purpurea



Deschampsia cespitosa



LEGAL DESCRIPTION

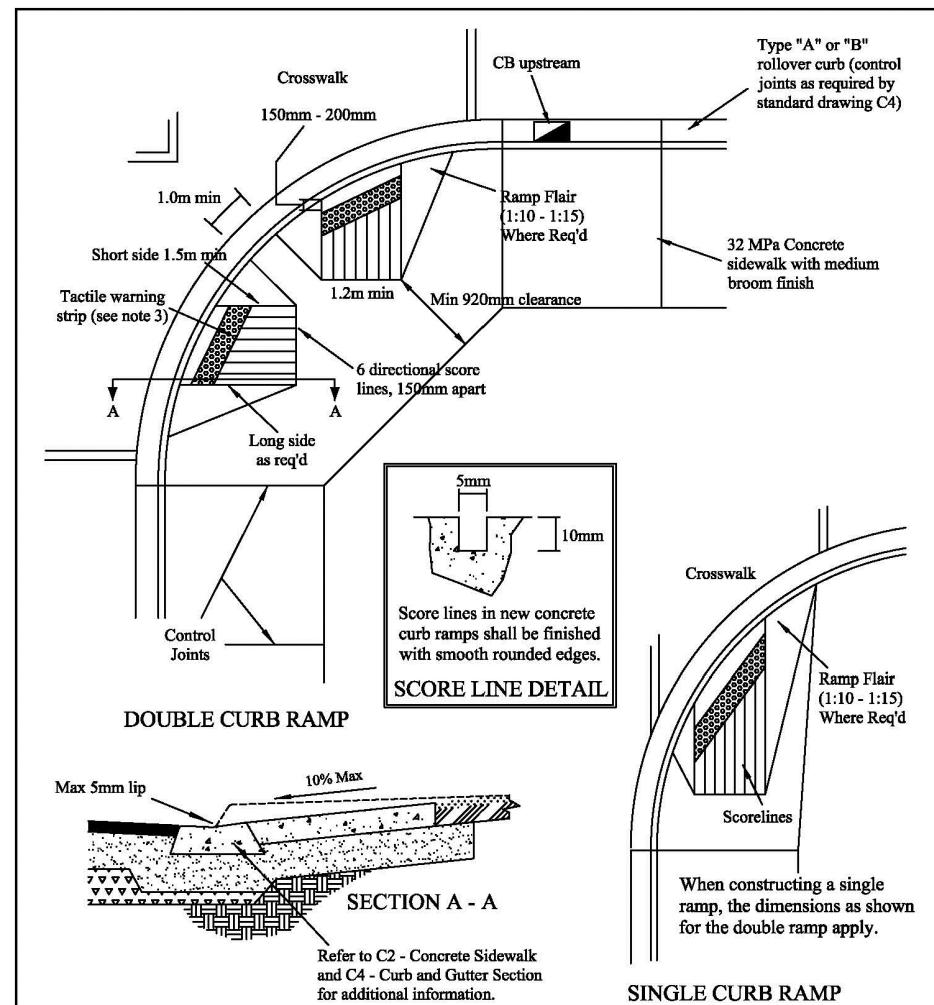
LOT 3, DL 7176, GP 1, NEW WESTMINSTER DISTRICT, PLAN 18981

BENCHMARK CONTROL:

ELEVATIONS ARE METRIC AND DERIVED FROM GEODETIC DATUM.
BENCHMARK USED:
WATER RESOURCES MONUMENT 1685, LOCATED UNDER THE MONS OVERPASS
ELEVATION = 640.702m

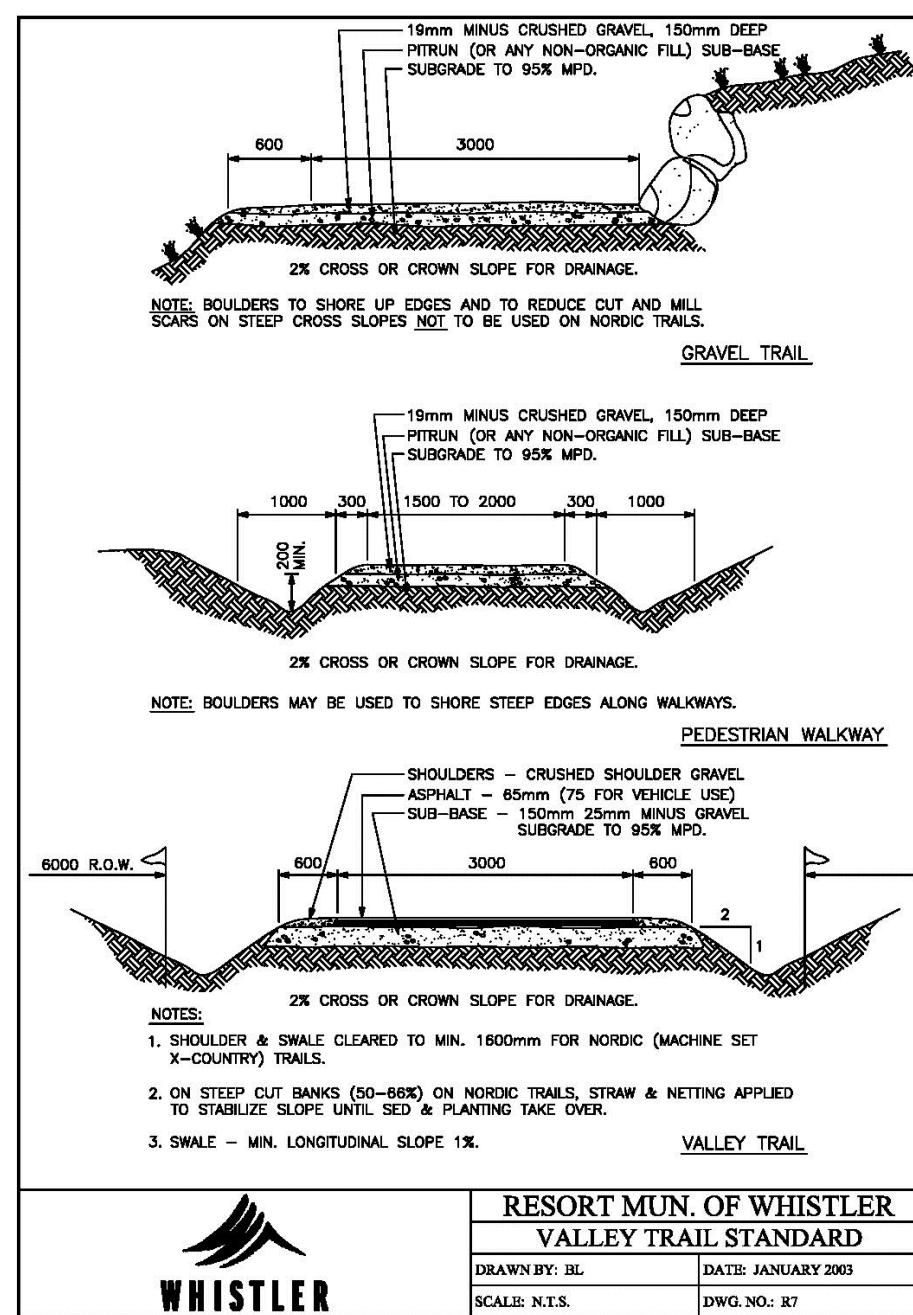
ROADWORK NOTES

1. ALL MANHOLE LIDS, VALVE COVERS, CATCH BASIN RIMS AND LIDS OF ANY OTHER STRUCTURE TO BE SET AT FIRST LIFT ROAD ELEVATIONS & RAISED TO FINAL GRADE WHEN FINAL LIFT INSTALLED.
2. ALL STRUCTURAL FILL TO BE CONSTRUCTED TO THE REQUIREMENTS AND UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER.
3. ALL LOOSE AND ORGANIC MATERIAL TO BE EXCAVATED FROM ROADWAY AND DISPOSED OF ON FILL SLOPES AS DIRECTED BY THE ENGINEER.
4. CHANGES IN GRADE TO BE FORMED WITH SMOOTH CURVES.
5. TIE-IN TO EXISTING ASPHALT WITH MILLED LAP JOINT. 100mm OF PAVEMENT IS TO BE PLACED IN TWO LIFTS OF 50mm EACH.
6. PAVING CAN ONLY PROCEED IN THE PRESENCE OF BOTH THE ENGINEER'S AND R.M.O.W'S INSPECTORS. SAMPLES OF THE ASPHALT MIX MUST BE TAKEN AND TESTED BY AN INDEPENDENT ASPHALT TESTING LABORATORY. TEST RESULTS AND REPORTS ON THE MIX WILL BE PREPARED. CONTRACTOR TO ORGANIZE AND PAY FOR TESTING AND REPORT PREPARATION.
7. ASPHALT TESTING TO BE PERFORMED IN ACCORDANCE WITH R.M.O.W'S CONSTRUCTION SPECIFICATIONS AND THE MASTER MUNICIPAL CONTRACT DOCUMENTS. (MMCD).
8. THE CONTRACTOR WILL ROUGHLY GRADE THE BOULEVARDS TO THE PROFILE SHOWN ON THE CROSS SECTIONS AT THE SAME TIME AS ROAD GRADING.
9. SEE ROADWORKS DRAWING FOR TYPICAL ROAD CROSS-SECTION.
10. SUBGRADE AND ROADBASE MATERIALS SHALL BE PROPERLY PLACED & COMPACTED TO A MINIMUM OF 95% OF MODIFIED PROCTOR DRY DENSITY (ASTM D1557).

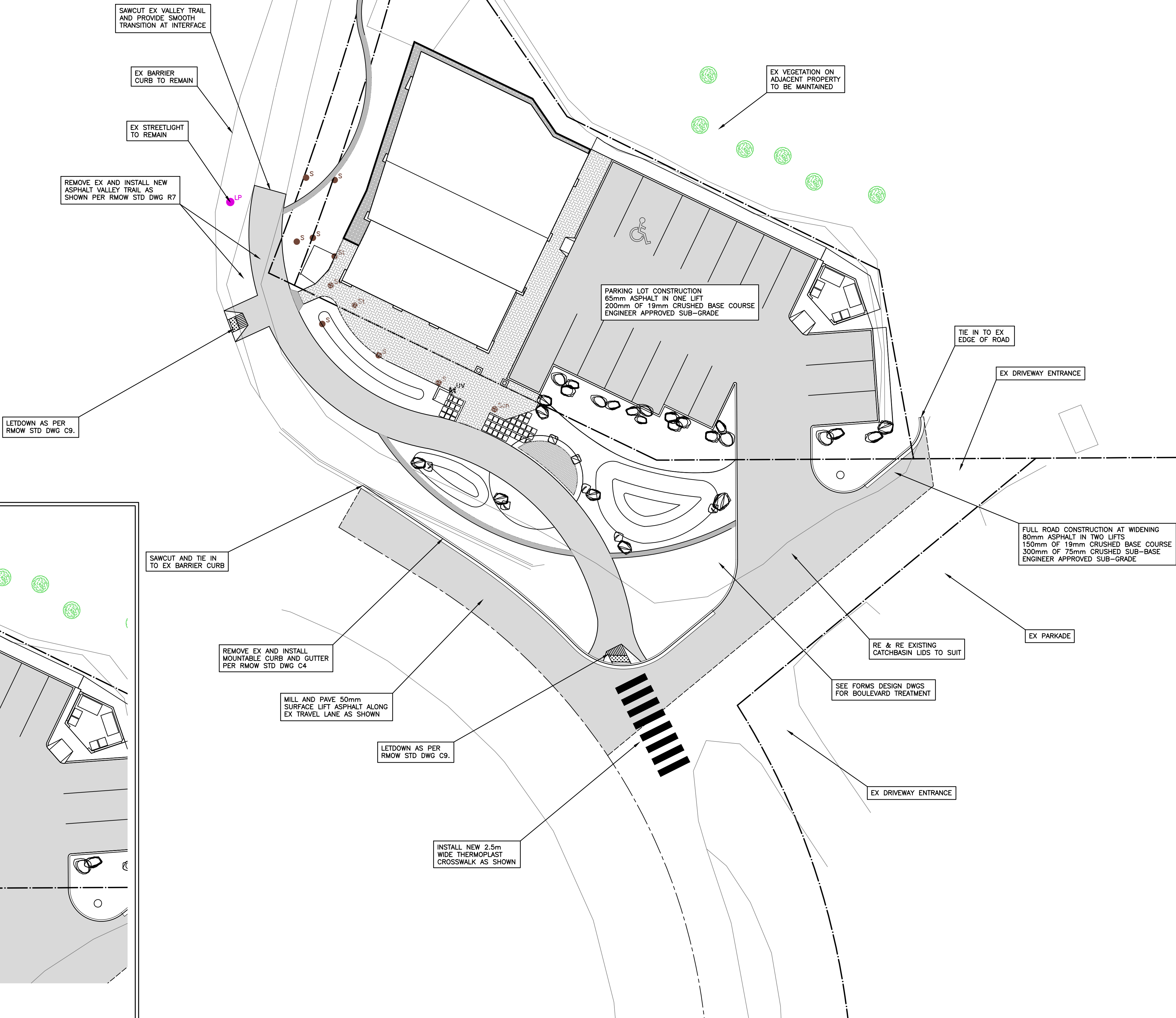
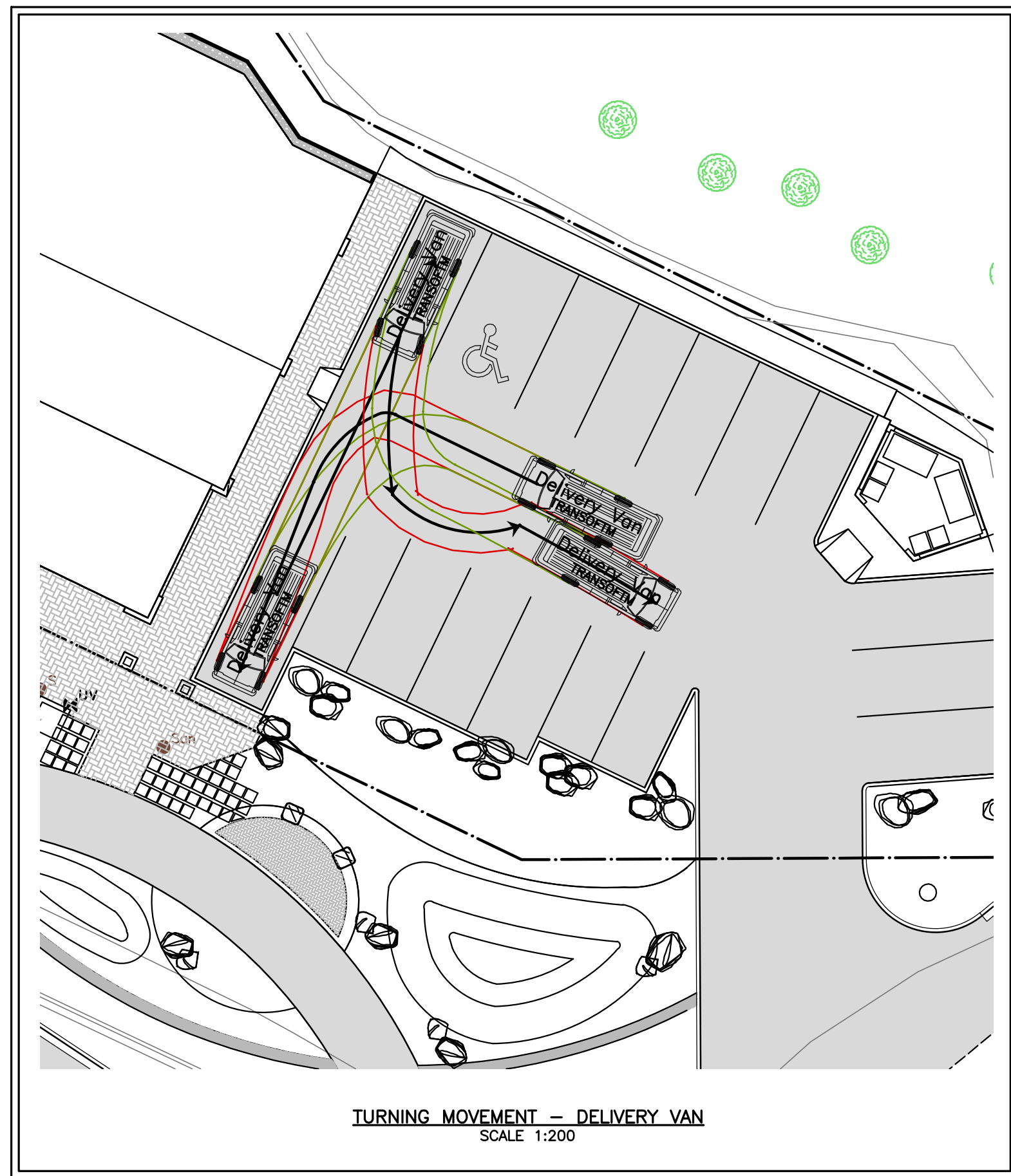


- NOTE
1. Refer to Section 02523 of the Master Municipal Construction Document for detailed specifications.
 2. When the sidewalk is separated from the curb by a boulevard, the concept of this detail is to be incorporated into the design.
 3. Tactile warning strip to be 24" wide, cast-in-place, as supplied by Armour Tile, or approved equal. Colour to be determined by RMOW.

RESORT MUN. OF WHISTLER			
WHEELCHAIR RAMP AT INTERSECTIONS			
DRAWN BY: R.A.	DATE: Jan 2009		
SCALE: N.T.S.	DWG. NO. C9		



RESORT MUN. OF WHISTLER			
VALLEY TRAIL STANDARD			
DRAWN BY: J.L.	DATE: JANUARY 2003		
SCALE: N.T.S.	DWG. NO. 87		



no.	date	revision	chk'd	no.	date	revision	chk'd
1	JAN.30.14	GENERAL REVISION	DKD				

client	LONDON LANE HOLDINGS
project	LONDON LANE RESORT MUNICIPALITY OF WHISTLER, BC

www.creus.ca

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Civil Engineers
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approved

designed by	F.M.C
drawn by	D.K.D
checked by	R.A.W.
date	NOV.05.13

title

ROADWORKS PLAN

scales	hor: 1:200	vert: -
file no.	13240	
drawing no.	C-1	rev. 1



LEGAL DESCRIPTION

LOT 3, DL 7176, GP 1, NEW WESTMINSTER DISTRICT, PLAN 18981

BENCHMARK CONTROL:

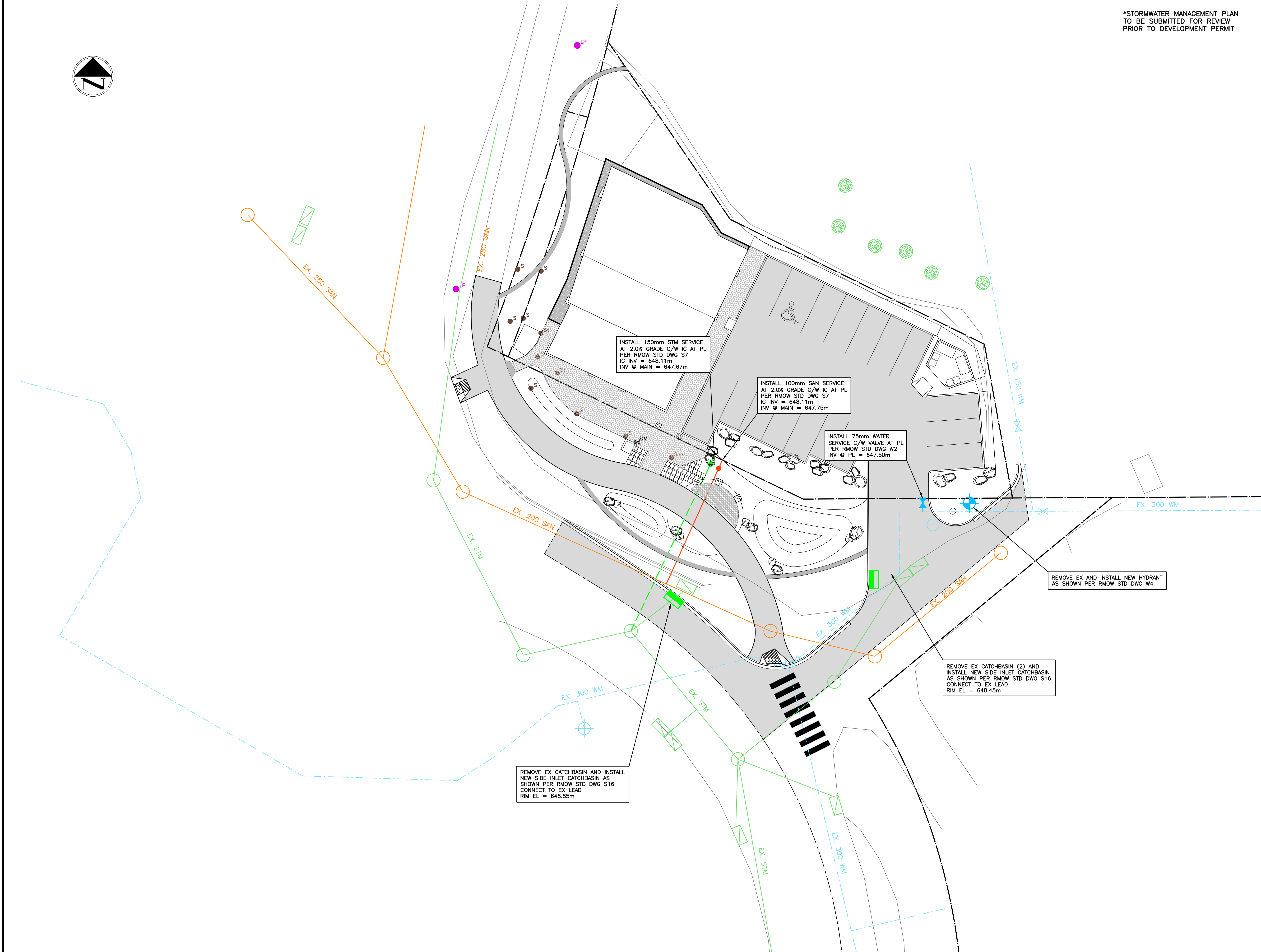
ELEVATIONS ARE METRIC AND DERIVED FROM GEODETIC DATUM.
BENCHMARK USED:
WATER RESOURCES MONUMENT 1685, LOCATED UNDER THE MONS OVERPASS
ELEVATION = 640.702m

STORM & SANITARY NOTES

1. GRAVITY SANITARY SEWERS TO BE PVC SD 28 FOR SERVICE CONNECTIONS AND SD 35 FOR MAIN LINES WHEN TESTED IN ACCORDANCE WITH ASTM D3034 & CSA B182.1. PIPE STIFFNESS (f/y) SHALL BE 314 kPa AT 5% DEFLECTION WHEN TESTED IN ACCORDANCE WITH ASTM D2412.
2. STORM SEWER MAINS TO BE CONCRETE AND SHALL MEET THE ASTM C-76 CLASS III SPECIFICATION FOR REINFORCED PIPE OR BE PVC SD 35 WHEN TESTED IN ACCORDANCE WITH D3034 & CSA B182.1. STORM SERVICES TO BE PVC SD 28.
3. TESTING OF SEWERS TO BE PERFORMED IN THE PRESENCE OF THE DESIGN ENGINEER'S AND RMOW INSPECTORS. 48 HOURS PRIOR NOTICE REQUIRED. ALL VIDEO AND TESTING RESULTS ARE TO BE REVIEWED AND APPROVED BY THE DESIGN ENGINEER AND SUBMITTED TO THE RMOW FOR REVIEW.
4. ALL MANHOLES TO BE 1505mm I.D. UNLESS NOTED OTHERWISE. MANHOLES AS PER R.M.O.W. STD DWG S1.
5. ALL SEWERS TO BE T.V. CAMERA INSPECTED. T.V. CAMERA INSPECTION TO BE ARRANGED AND PAID FOR BY THE CONTRACTOR. ALL VIDEO AND TESTING RESULTS ARE TO BE REVIEWED AND APPROVED BY THE DESIGN ENGINEER AND SUBMITTED TO THE RMOW FOR REVIEW.
6. ALL SEWER SERVICE CONNECTIONS ENTERING MANHOLES TO HAVE INVERT ELEVATION AT CROWN ELEVATION OF DOWNSTREAM SEWER OUTLET.
7. WHERE STORM OR SANITARY PIPE GRADE EXCEEDS 15%, PIPE TO BE ANCHORED AS PER MMCD STD. DWG G8.
8. MINIMUM GRADE ON SERVICE CONNECTIONS TO BE 2% UNLESS NOTED OTHERWISE. SERVICE CONNECTIONS AS PER R.M.O.W. STD. DWG S7-A.
9. WHERE SANITARY SEWER CROSSES A WATERMAIN AND CLEARANCE IS LESS THAN 0.5m, THE WATERMAIN SHALL BE ENCASED AS PER R.M.O.W. STD. DWG G9.
10. PIPE BEDDING TO CONFORM WITH R.M.O.W. STANDARDS. SEE R.M.O.W. STD. DWGS G4 & G9.
11. CLEAN OUTS AS PER MMCD STD DWG S6.
12. MIN. COVER = 1.5m UNDER ROADS AND 1.0m IN NON-LOAD BEARING AREAS.
13. LOCATION/INVERTS OF SERVICE CONNECTIONS TO BE CONFIRMED BY ENGINEER ONCE ROUGH GRADING IS COMPLETE.
14. ALL SANITARY SERVICE CONNECTIONS TO BE 100mm DIA. CONNECTED TO THE MAIN WITH A MANUFACTURED WYE OR TO THE MANHOLE. SEE R.M.O.W. STD DETAIL S7-A.
15. ALL STORM SERVICE CONNECTIONS TO BE 150mm DIA. CONNECTED TO THE MAIN WITH A MANUFACTURED WYE OR TO THE MANHOLE. SEE R.M.O.W. STD DETAIL S7-A.
16. INSPECTION CHAMBER AND CLEAN OUT WITHIN TRAVELED PORTION OF DRIVEWAY TO INCLUDE TERMINAL CITY MR-10 STEEL CASTING.

WATERWORKS NOTES

1. ALL WATERMAIN PIPING TO BE PVC DRI8 PIPE TO AWMA C900 FOR PIPE UP TO 300mm DIAMETER AND AWMA C905 FOR PIPE LARGER THAN 300mm. ALL PIPE TO BE CSA B137.3 CERTIFIED.
 2. TYTON JOINTS TO AWMA C111 AND ASTM D313.9 & GASKET TO ASTM F477.
 3. TESTING OF THE WATERMAIN TO BE COMPLETED BY THE CONTRACTOR AS NOTED IN THE CONSTRUCTION SPECIFICATIONS. DESIGN ENGINEER'S REPRESENTATIVE MUST BE PRESENT AT TIME OF TESTING. R.M.O.W. MUST BE NOTIFIED 48 HOURS IN ADVANCE OF ANY TESTING. ALL TEST RESULTS ARE TO BE REVIEWED AND APPROVED BY THE DESIGN ENGINEER AND SUBMITTED TO THE R.MOW FOR REVIEW
 4. HYDRANTS TO BE INSTALLED TO R.M.O.W. STANDARDS AS PER STD. DWG W4 C/W STORZ NOZZLE.
 5. SERVICE CONNECTIONS TO BE 50mm DIA. POLYETHYLENE TO AWMA C901, PRESSURE CLASS 160 TUBING TO CSA B137.1 OR ENGINEER APPROVED ALTERNATIVE.
 6. ALL FITTINGS TO BE DUCTILE IRON TO AWMA C110, CEMENT MORTAR LINED TO AWMA C104, TYTON JOINTS TO AWMA C111, WITH CLOSED LUGS.
 7. SERVICE CONNECTIONS TO BE MARKED WITH A 40mm x 90mm POST PAINTED BLUE AT TERMINATION. SERVICES TO BE TERMINATED 1m BEYOND THE PROPERTY LINE, UNLESS OTHERWISE NOTED.
 8. DURING CONSTRUCTION, AND AT ANY TIME PRIOR TO ACCEPTANCE AND PRESSURIZING OF MAINS, THE CONTRACTOR SHALL PLACE A 0.3m SQUARE 20mm SHEET OF PLYWOOD OVER THE PUMPER NOZZLE OF THE HYDRANT TO INDICATE THE HYDRANT IS NOT IN USE.
 9. WHERE WATERMAIN PIPE GRADE EXCEEDS 15% PIPE TO BE ANCHORED AS PER MMCD STD DWG G8.
 10. CONTRACTOR SHALL MAKE TIE-IN(S) TO EXISTING WATERMAIN(S) UNDER SUPERVISION OF DESIGN ENGINEER'S INSPECTOR. CONTRACTOR TO ADVISE R.M.O.W. 48 HOURS TO TIE-IN.
 11. INSTALLATION, TESTING AND CHLORINATING TO BE PERFORMED IN ACCORDANCE WITH R.M.O.W. CONSTRUCTION SPECIFICATIONS AND AWMA C600 AND C651. INSTALLATION AND TESTING OF PVC WATERMAIN TO AWMA W23. DESIGN ENGINEER'S REPRESENTATIVE TO BE PRESENT AT TIME OF TESTING. DESIGN ENGINEER TO REVIEW AND APPROVE RESULTS AND SUBMIT TO R.MOW FOR REVIEW
 12. MINIMUM COVER ON WATERMAIN = 1.8m.
 13. THRUST BLOCKS AS PER R.M.O.W. STD DWG W12-A AND W12-B.
 14. SERVICE CONNECTIONS AS PER R.M.O.W. STD DWGS W2-A AND W2-B.
 15. VALVES, BLOW OFFS AND AIR VALVES PER RMOW STD DWGS W3, W6 AND W6-A.
 16. PIPE BEDDING TO CONFORM WITH R.M.O.W. STANDARDS. SEE R.M.O.W. STD. DWGS G4 AND G9.
 17. LOCATION OF SERVICE CONNECTIONS TO BE CONFIRMED BY ENGINEER ONCE ROUGH GRADING COMPLETE.
 18. WHERE SEWER MAIN CROSSES WATERMAIN AND CLEARANCE IS LESS THAN 0.5M, THE UPPER PIPE SHALL BE ENCASED AS PER R.M.O.W. STD DWG G9.
 19. WATERMAIN CROSSINGS OF STORM OR SANITARY SEWER TO BE MADE AT MIDPOINT OF PIPE AND JOINTS WITHIN 3.0M OF CROSSING TO BE HEAT SHRINK WRAPPED OR TAPE WRAPPED AS PER MINISTRY OF HEALTH (M.O.H.) STANDARDS.
- M.O.H. STANDARDS: ANSI/AWWA C214 (FACTORY APPLIED)
ANSI/AWWA C209 (FIELD APPLIED)
ANSI/AWWA C217-90 (PETROLATUM TAPE)
ALL MATERIALS USED ARE TO HAVE ZERO HEALTH HAZARD.
20. ALL EXISTING RMOW WATER VALVES TO BE OPERATED BY RMOW STAFF, 24 HOUR NOTICE WILL BE EXPECTED IN NORMAL CIRCUMSTANCES

[illegible]

Excerpt from Advisory Design Panel – November 20, 2013 Minutes

London Lane Commercial Development - Workshop

The applicant team of Bill Harrison and Christy Voelker, Forma Design; Stephen Knight and Dave Clark, London Lane Holdings; Augustine Hii, Chandler Associates entered the meeting.

1st Review

File No. DP1320

Robert Brennan introduced the project proposal for a commercial retail development.

The applicant presented:

1. Site context - irregular configuration, fronts Highway 99 and London Lane, very visible from Highway 99, London Lane and Valley Trail, site is lower than highway, bound by 4 ft. retaining wall at rear of site. Tree buffer on adjacent residential property.
2. 3,700 ft² single-storey building proposed, commercial retail, potential 3 tenants, potential for restaurant and outdoor patio to take advantage of south exposure patio. Surface parking for 16 cars.
3. Valley Trail contributes to design, pedestrian access off Valley Trail.
4. Frame the view of the building with landscaping and allow view into the building as you drive by. Screen the parking with landscaping.
5. Two options for building height presented.
6. Exterior materials are cultured stone, stucco, hardie board, wood brackets.
7. Freestanding sign at highway, community board on building corner, business fascia signs on building.
8. Green building policy will be addressed.
9. Remediation equipment for off-site remediation is still on-site. Worst case scenario is that it must remain for 4 years.

Mike Kirkegaard entered meeting.

Panel offers the following comments.

Site Context and Landscaping

1. General siting good with building and landscaping in foreground and parking at rear.
2. Setback relaxations supportable. Consider sliding everything even further south to enable more buffer to adjacent residential, and possibly gain some area, while still having a good south aspect patio.
3. Consider reducing parking to enable wider sidewalk in front of building and wider planting island.
4. Consider making the patio even larger for animation, sense of arrival.

5. Missed opportunity that no doorways face the Valley Trail.
6. Encourage more bike parking. Consider ski/board racks in winter.
7. Landscaping is generally very supportable, with some details needing consideration.
8. Suggest improved landscape screening and larger trees specified.
9. Encourage understory planting at the top of the rock wall on the adjacent property for improved screening.
10. Boulders may be located too close to parking for snow dump.
11. Suggest building up the berm at the southwest corner of the site to discourage pedestrians walking through landscape, or consider a connection.
12. Encourage a different tree species adjacent to Valley Trail as Trembling Aspens drop branches.
13. Consider safety at tight spot on north side of building.
14. Consider pedestrian linkage from neighbouring residential.

Form and Character

1. This site is a prominent site, gateway site. The building is not appropriate caliber for this site and is not customized with respect to form and materials. Opportunity for lots more potential. Look at Creekside character, mostly natural wood and stone, board and batten.
2. If departing from Creekside vernacular, look to a bolder original design.
3. Added height not adding anything to building; lower building has more character, better proportions. One member suggested opportunity to place building on a plinth to raise in recognition of low site.
4. Suggest even more windows on south aspect, i.e. clerestory windows.
5. Opportunity to landmark the northwest corner of the building/site with more than a freestanding sign.
6. Encourage wider roof overhangs on the front of building, specifically to deal with snow dumping off the centre portion of the building flat roof at an entry.

Materials, Colours and Details

1. Materials and details are important.
2. Panel generally encouraged use of natural materials.
3. It was felt that the colours are too warm. Look at surrounding developments for colour integration/incorporation.
4. Opportunity to differentiate individual storefronts more.
5. Community event sign needs more consideration. What is its purpose? Who will see it?

Green Building Initiatives

1. Encourage sustainability in storm water management.
2. Roof pitch permits opportunity for a green roof.

Moved by Eric Callender

Seconded by Crosland Doak

That the Advisory Design Panel request the applicant to consider Panel's comments and would like to see this project return for further review.

CARRIED.

The applicant team left the meeting.

Excerpt from Advisory Design Panel – January 15, 2014 Minutes

**London Lane
Commercial
Development**

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

2nd Review

File No. DP1320

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

Mike Kirkegaard, Director of Planning entered the meeting.

Sheldon Chandler advised on the following.

1. No change to site access from London Lane.
2. The shape of the site is awkward.
3. Design objectives: sloping roofs, relationship to the natural surroundings for siting, shaping of the building and landscaping.
4. Proposal for a 3700 ft² building.
5. Changes from the November 20, 2013 proposal:
6. The building has been shifted south, the north setback increased by approximately 1.2 m., south setback reduced by 1.2 m.
7. Outdoor patio enlarged to the south, part of the patio is now moved

over onto additional land between the property line and Valley Trail and includes the fire pit.

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

Bill Harrison advised on the following.

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

Panel offers the following comments.

Site Context and Landscaping

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

Form and Character

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

Materials, Colours and Details

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

Moved by E. Callender

Seconded by C. Doak

That the Advisory Design Panel appreciates the improvements and

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

CARRIED.

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

February 7, 2014

FILE: DP1320

Mr. Augustin Hii, architect
Chandler Associates Architecture
270 – 601 West Cordova Street
VANCOUVER BC V6B 1G1

RE: DP1320 – 2010 London Lane – Rainbow Service Station

Dear Mr. Hii,

The following provides a list of items to be addressed as a condition of development approval for the proposed commercial development in Whistler Creek. These are to be addressed to the satisfaction of the General Manager of Resort Experience.

1. Revised architectural plan A-1.2 for consistency with landscape plan for area north of the principle building.
2. Revised engineering plans which include a grading plan and the location of new lamp post to be installed.
3. Revised landscape plans with minor adjustment to tree locations to improve setbacks from the Valley Trail, administrative corrections for planting notes and removal of the landscape edging choice adjacent to lawn areas to be maintained by the municipality.
4. Submit a landscaping cost estimate for hard and soft landscaping based on changes to types and number of trees, revised tree soil requirements to BC Landscape Standards, hydro seeding, and irrigation costs for landscaping on and off-site.
5. 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 and off-site on adjacent road rights-of-way as security for the construction and maintenance of these works; and further
6. Execution of an encroachment agreement (S219 Covenant) for the landscape areas within the road rights-of-way that will establish the owner's responsibility for maintaining landscape areas and associated improvements for the area immediately between the subject property and Highway 99 and London Lane as shown on the development permit landscape plan.

Once the above items have been completed to the satisfaction of the General Manager of Resort Experience a development permit can be issued.

A separate comprehensive sign package application and approval will be required at a later date but prior to any installation of signage on the property.

Sincerely,

Robert Brennan MCIP CPP
PLANNER



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014

REPORT: 14-011

FROM: Resort Experience

FILE: DP 1275

SUBJECT: DP 1275 - 4280 MOUNTAIN SQUARE - CARLETON LODGE RENOVATIONS

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Location: 4280 Mountain Square
Legal Description: VR 1163
Owners: Owners, Strata Corporation VR 1163
Zoning: CC1

Appendices: "A" Location Map
"B" Architectural Plans
"C" Landscape Plans
"D" Letter to Applicant
"E" Advisory Design Panel Minutes, January 30, 2013

PURPOSE OF REPORT

This report seeks Council's approval of Development Permit 1275, an application by the owners of Strata Corporation VR 1163 for comprehensive building envelope rehabilitation, pedestrian retail level storefront, patio and landscape improvements of the Carleton Lodge property.

The development permit is subject to Council approval as the proposed alterations affect more than one elevation of the building.

DISCUSSION

The Carleton Lodge is located at 4280 Mountain Square at the base of Whistler Mountain in Whistler Village, with frontage on Mountain Square and Skiers Plaza (see Appendix A). The building has a unique setting, in that it has no vehicular street frontage and is bounded on all four sides by pedestrian stroll or pedestrian plaza.

Carleton Lodge is experiencing problems with its building envelope that requires replacement of the exterior wall cladding and windows, primarily on the residential levels above the ground floor commercial. When the owners approached the municipality in late 2011 to initiate conversations with respect to the building envelope work needing to be done staff took a photo inventory of the building and identified several issues and opportunities respecting uninviting and run-down aspects of the existing development, all of which the owners have taken into consideration in the proposed renovation. Staff have worked with the strata owners and applicant team to facilitate this important renovation project through design development.

The key issues respecting the existing building that were identified in the applicant's letter of design rationale for the proposed rehabilitation and improvements include:

1. The lack of roof overhangs has subjected the building to water and discolouration on the exterior walls.
2. The stucco cladding, while multi-coloured, is demure and lacks elements that might be considered appropriate to its mountain setting.
3. The upper roof was recently replaced in 2012. Any changes to the exterior façade need to protect the integrity of the new roof.
4. The breezeways, a main north-south breezeway opening onto Mountain Square and a secondary east-west breezeway opening out to the sides of the building, are dark and lack animation. They do not act as significant end points to Village Stroll and are not sufficiently welcoming.
5. The residential lobby is discrete in the northeast corner of the building, off Mountain Square.
6. The landscaping and other structures in front of the retail space facing the mountain restrict visual access to the retail space. The patio area in front of the retail space is poorly utilized.
7. The patio area in front of the Longhorn is cluttered, lacks proper cover for winter and rainy weather, and its entry is not readily seen.

The main features of the rehabilitation and improvements that affect the form and character of the development and pertain to development permit approval are summarized below:

Commercial Level

- The existing gable and large columns at the entrance to the main breezeway facing Mountain Square will be replaced with stone columns and a higher timber canopy with stained fir soffit and pot lights, supported by timber brackets and columns.
- The footprint of the breezeways will remain the same, however the flooring will be replaced with quartzite slate, the walls will be repainted to a warm yellow and the lighting will be upgraded. The solid walls of the two CRU's on each side of the main breezeway will be replaced with floor to ceiling double glazed black aluminum windows open up and brighten the breezeway space, and make it more inviting.

- New glazed canopies of black aluminum and frosted glass supported by glulam/timber beams, brackets and posts and steel beams will be added over the remaining principal building entrances and some CRU windows. A significant amount of stone will be added to the ground floor retail level to further differentiate and enhance the retail level. The stone will provide strong support for the new canopies.
- A new direct entry from Village Stroll into the middle CRU on the west side of the building will make this CRU more visible and inviting from Village Stroll.
- All storefronts will be replaced with a new design of windows and doors.
- Stairs and planters on the side entrances to the breezeways will be redesigned to provide more planters and sitting areas.
- A central kiosk addition will be added on the Skiers Plaza side of the building to consolidate the current ad hoc outdoor kitchens and serveries. The kiosk is intended to act as a focal point on the mountain side of the building.
- Expansive timber, steel and frosted glass canopies will be added above the Longhorn and Whistler/Blackcomb outdoor patios on the Skiers Plaza side of the building to replace the ad hoc awnings. The landscaping and patios will be redesigned to increase their visual appearance, improve visibility and access to storefronts, and enhance the four-season utilization of the area.
- Decorative metal screening will be added to the existing Longhorn kitchen vent.
- The accessible ramp on the west side of the building will be rebuilt and extended to reduce the ramp gradient to 5%. A timber, steel and frosted glass canopy will be added to provide weather protection.
- New signage and decorative banners will be added to the building to enhance the visibility of the retail spaces and add animation to the building.

Residential Levels (Floors 2 – 8)

- The existing stucco will be removed. Rigid insulation will be added to the exterior of the exterior walls and new stucco will be applied. New, more vibrant colours are proposed.
- The windows and doors will be replaced with new double glazed black aluminum windows and doors. The new windows will have a more interesting mullion design. The existing railings will be replaced with new black aluminum and clear glass railings.
- More substantive flat roofs will be added over the bay projections on the east and west sides of the building.

Landscape

- New planting is proposed to ground the building yet improve visibility to storefronts. New planting will add visual interest and variety.

The renovation will improve the building performance and the proposed architectural and landscape improvements, materials and detailing will ensure improved character and interest for this building. The architectural and landscape drawings submitted for development permit are attached as Appendices B and C.

Staff have identified some minor details to be addressed as a condition of development permit approval. These are contained in a letter to the applicant attached as Appendix D.

Advisory Design Panel Review

The proposal was presented to the municipal Advisory Design Panel on January 30, 2013. The Panel supported the improved access and circulation, generally supported the proposed building

materials and colours, and felt the timber and glass canopies were a great addition and improvement. The Panel requested the applicant to work with staff to address comments related to the architectural and landscape detailing. The minutes of the Advisory Design Panel meeting are attached as Appendix E.

The applicant has addressed Panel's and staff comments except for some detailed items to be to be addressed as a condition of development permit approval are outlined in Appendix D.

WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies of economic, visitor experience, built environment, energy, and health and social.

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 improvements are well integrated and contribute to a high standard of design. Staff have identified some minor details to be addressed to further ensure appropriate building character, integration and detailing consistent with the Whistler Village Design Guidelines.
Visitor Experience	The resort is comfortable, functional, safe, clean and well-maintained.	
	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscapes and evoking a dynamic sense of place.	The comprehensive envelope enhancement with added insulation, and new thermally efficient windows and doors in the residential suites will significantly improve the building's overall energy performance. Building materials are considered sufficiently durable and detailed to withstand Whistler's harsh climate.
	Building design and construction is characterized by efficiency and durability. The new and renovated built environment has transitioned towards sustainable management of energy and materials.	
Energy	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	Barrier-free access to the building is improved by reducing the ramp gradient and providing a roof cover over the ramp.
Health and Social	Whistler is accessible and inclusive for community members and visitors with disabilities.	
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Energy	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	Energy is required to manufacture the necessary building materials, however, all new construction components are deemed to be durable, such that the impact of emissions during manufacturing is minimized when the long service life of such components is considered.

OTHER POLICY CONSIDERATIONS

Zoning Analysis

The property is located in the CC1 (Commercial Core One) zone. The proposal conforms to all applicable regulations of the CC1 zone and Zoning and Parking Bylaw 303.

The 16.3 square metres of additional retail space generates the requirement for 1 additional parking space. The Carleton Lodge building does not have parking on-site and currently leases 38 parking spaces in the immediately adjacent underground parkade owned by the Whistler Village Land Co. Ltd. As a condition of development permit approval the existing unregistered parking stall license agreement between the Whistler Village Land Co. Ltd. and Carleton Lodge Ltd. will be amended so the Carleton Lodge can secure an additional parking space in the Whistler Village Land Co. Ltd. parkade.

OCP Development Permit Guidelines

The proposed renovation is significant and supports many high level OCP objectives and policies including:

- Support reinvestment, enhancement and redevelopment of Village properties to maintain a high quality built environment that is attractive, safe, healthy, accessible and sustainable;
- Support on-going renewal and renovation of visitor accommodations to remain internationally competitive;
- Require a high standard of quality for all renovation, redevelopment and development projects.

The property is located within the Whistler Village Development Permit Area and is subject to development permit approval and guidelines for the form and character of development. The applicable guidelines are contained within the Official Community Plan.

Of note, the improvements:

- Capture many opportunities for improvements identified in the building renovation and redevelopment checklist contained in Section 5.8 of the guidelines that could produce a measurable benefit to the Village character and quality including:
 1. Enhancement of the pedestrian precinct
 - ✓ Changes that promote social life in public places
 - ✓ Improvements in ease of access to stores
 - ✓ Improvements to storefront visibility, life, colour and interest
 - ✓ Changes to the base of buildings, improvement of the building connection to the land
 - ✓ Entrance improvements (shelter, welcoming, personality)
 - ✓ Creation of intimate, close up views
 - ✓ Improvements to the landscape
 - ✓ Accessibility improvements
 2. Modification of building facades
 - ✓ Changes that emphasize horizontal features rather than vertical
 - ✓ Windows and balconies that are direct, well-shaped, not cute
 - ✓ Surface colours and textures that catch the light, are not dull
 - ✓ Facades that are weather resistant
- Are well integrated and contribute to a high standard of urban design, architecture and landscape architecture;
- Build on the character and image of a mountain village built by local craftsmen of local materials;
- Provide open space amenities;
- Ensure building faces add interest, scale and rhythm to the Village;

- Utilize building and landscape materials that are durable and detailed to withstand Whistler's harsh climate;
- Propose warm building colours applied to accent the architectural elements of the building by utilizing the architectural and decorative features of the building facade as appropriate places for colour transitions;

Staff have identified some minor details to be addressed as a condition of development permit approval to further ensure appropriate building character and integrated design elements consistent with the Whistler Village Design Guidelines, as outlined in Appendix D.

The guidelines generally do not permit construction between July 1st and September 3rd of the same year. However, this is a significant renovation project, with an eight month construction duration beginning on March 31, 2014, and it is the municipality's common practice to allow significant construction projects to extend into the summer season. Pursuant to the Whistler Village Construction Management Strategy, the owners have submitted a construction schedule and construction management plan describing the phased approach to mitigate the impacts of construction activity on the Whistler Village resort experience, especially during the peak summer season. The owners also held a pre-construction meeting on December 11, 2013 wherein they presented the construction schedule and site management plan. Notices for the pre-construction meeting were hand-delivered to neighbouring businesses the week prior to the open house.

Green Building Policy

A green building project checklist has been provided by the coordinating professional that responds to each of the green building objectives outlined in Section 2.0 of Green Building Policy G-23. The proposal will significantly improve the energy efficiency of the building.

Legal Considerations

Portions of canopies on the north side of the Carleton Lodge and portions of planters and stairs on the east and west sides of the Carleton Lodge will encroach onto Whistler Village Land Co. Ltd. property and municipal road right of way. Per standard municipal practice, registration of easement agreements between the Owners of Strata Plan VR 1163 and the Whistler Village Land Co. Ltd. and municipality, respectively, is required as a condition of development permit approval. The Owners of Strata Plan VR 1163 will be responsible for constructing, repairing and maintaining the improvements within the easement area.

The owners of the Carleton Lodge granted to the municipality a statutory floodproofing covenant and a subsequent covenant modification, registered on title as J78425 and K90202 respectively. The applicant engaged a professional engineer to review the proposed patio and landscape improvements as regards to their effect on the floodproofing of the building. Per Section 219(9) of the Land Title Act, registration of a Section 219 floodproofing covenant modification is required as a condition of development permit approval to enable the proposed patio and landscape improvements consistent with the professional engineer's review.

BUDGET CONSIDERATIONS

The municipality's direct costs of processing and reviewing this application have been covered through the development permit application fees.

At time of building permit, works and service charges will be payable on the additional 16.3 square metres of gross floor area associated with the kiosk addition.

COMMUNITY ENGAGEMENT AND CONSULTATION

February 18, 2014

An information sign has been posted on the property per Development Permit application requirements.

SUMMARY

This report seeks Council's approval of Development Permit 1275, an application by the owners of Strata Corporation VR 1163 for comprehensive building envelope rehabilitation, pedestrian retail level storefront, patio and landscape improvements of the Carleton Lodge property.

Respectfully submitted,

Melissa Laidlaw

SENIOR PLANNER, PLANNING

for

Dave Patterson

ACTING GENERAL MANAGER, RESORT EXPERIENCE

APPENDIX A LOCATION MAP



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CARLETON LODGE

4200 Mountain Square, Whistler, BC

PROJECT DIRECTORY

OWNER

CARLETON LODGE STRATA
VR 1163 CARLETON LODGE
WHISTLER, BC V0N 1B4

CONTACTS:

JEFF COOMBS
Strata Manager
(604) 932-2842
mccoo@telus.net

DAVE EVANS
Strata Property Agent
Whistler Resort Mgmt. Ltd.
(604) 932-2972 ext.236
dave@wrm.bc.ca

ARCHITECT

ROSITCH HEMPHILL ARCHITECTS
#10-120 POWELL STREET
VANCOUVER, BC V6A 1G1

CONTACTS:

BRYCE ROSITCH
SMILJKA STANKOVIC
CARL HUMPHREY

(604) 669-6002
(604) 669-1091
bryce@rharchitects.ca
smiljka@rharchitects.ca
carl@rharchitects.ca

LANDSCAPE CONSULTANT

TOM BARRATT LTD. Landscape Architects
8605 Drifter Way
WHISTLER, BC V0N 1B8

CONTACT:

TOM BARRATT

(403) 932-3040

tom@tbla.com

ENVELOPE CONSULTANT

CSA BUILDING SCIENCES WESTERN LTD.
12 - 62 FAWCETT ROAD
QOQUITLAM, BC V3K 6V5

CONTACT:

ERIC LOFGREN

(604) 523-1366

elofgren@csawest.com

CONTRACTOR

MURPHY CONSTRUCTION
PO BOX 576
PEMBERTON, BC V0N 2L0

CONTACT:

GRAHAM MURPHY
(604) 894-2435

graham@murphyconstruction.ca



EXISTING/PROPOSED 3D STUDY

PROJECT STATISTICS

MUNICIPAL ADDRESS:

4200 Mountain Square, Whistler, BC V0N 1B4

LEGAL DESCRIPTION:

Strata Lot 53, Block 'B', District Lot 3020 Strata Plan VR. 1163

ZONE:

CC1

LOT AREA:

2,782 M²

FLOOR AREA RATIO (FAR)

ADDED 175 SF (16.3 M²) ALLOWED TO MAXIMUM FAR

BUILDING HEIGHT - NO CHANGE

SETBACKS - NO CHANGE

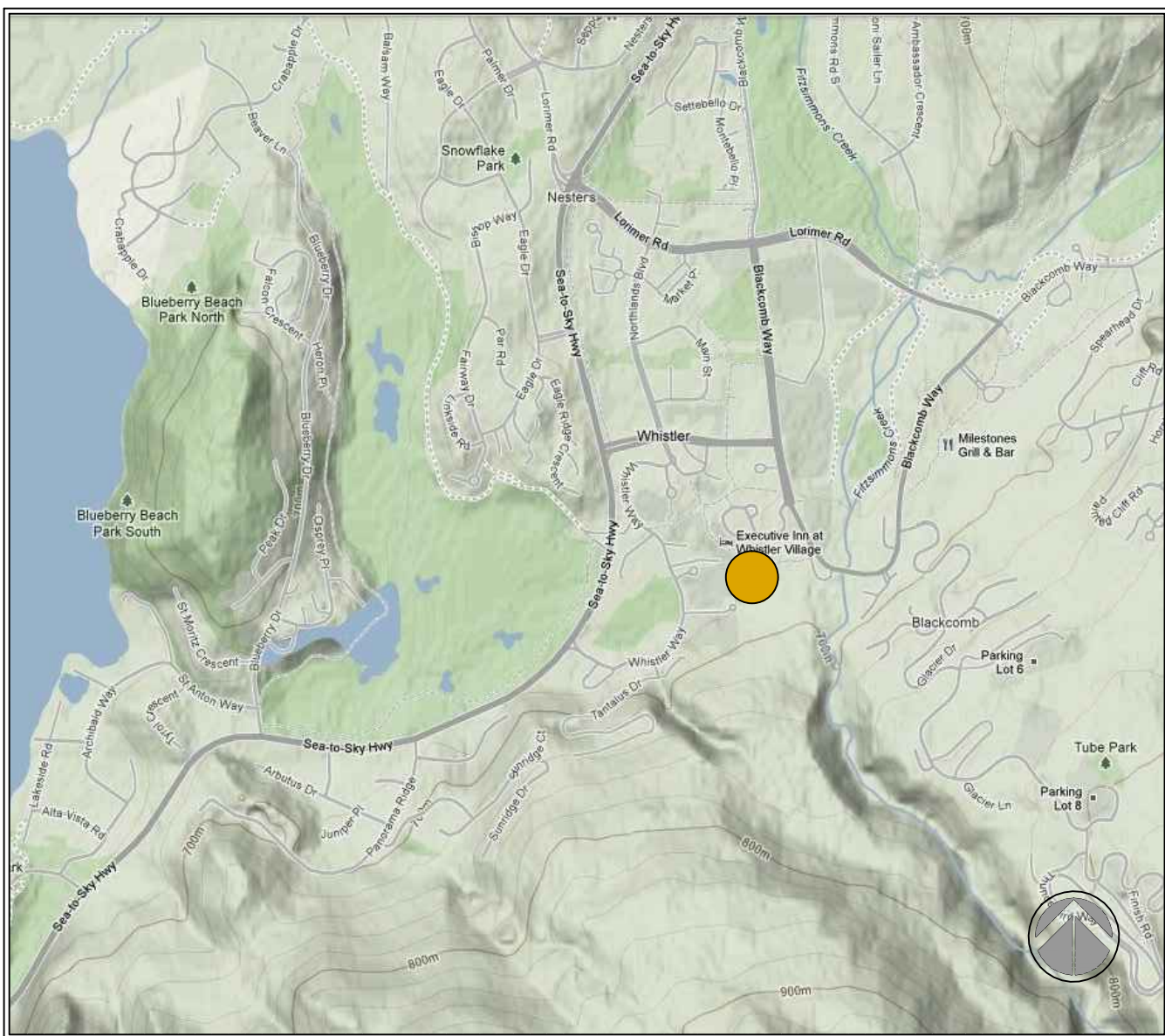
DRAWING LIST

* A0.0	COVER PAGE/ CONTEXT PLAN	N/A
* A0.1	EXISTING BUILDING PHOTOS	N/A
* A1.0	3D IMAGES	N/A
* A1.1	3D IMAGES	N/A
* A1.2	3D IMAGES	N/A
* A1.3	3D IMAGES	N/A
* A1.4	3D IMAGES	N/A
* A2.0e	SITEPLAN / GROUND FLOOR - existing	3/32"=1'-0"
* A2.0	SITEPLAN / GROUND FLOOR - proposed	3/32"=1'-0"
* A3.0	ELEVATION / DETAILS for exterior changes	As shown
* A3.0a	ELEVATION / DETAILS for exterior changes	As shown
* A3.1e	ELEVATIONS - existing	1/8"=1'-0"
* A3.1	ELEVATIONS - existing	1/8"=1'-0"
* A3.2e	ELEVATIONS - existing	1/8"=1'-0"
* A3.2	ELEVATIONS - proposed	1/8"=1'-0"

TOTAL PAGES: 15

* updated drawings

LANDSCAPE DRAWINGS UNDER SEPARATE COVER



TERRAIN MAP



CONTEXT MAP



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ISSUED:

1. DPA 09 JAN. 2013
2. DPA Re-submission 09 DEC. 2013
3. Response to RMOW comments 05 FEB. 2014

DATE:

UPDATED
D.P.A. Re-submission set
as per RMOW comments
06 Feb. 2014

NO. REVISION:

DATE:

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ARCHITECTURAL SEAL:

CLIENT:

Suite 1405, Rental Centre, 555 Burrard Street
PO Box 224, Vancouver, BC V7X 1A0

PROJECT:

CARLETON LODGE
Exterior Renovation

4200 Mountain Square, Whistler, BC

DRAWING TITLE:

COVER PAGE
CONTEXT PLAN

DATABASE: 1202-A0.0.dwg

SCALE: N/A

DATE: FEB. 2012

DRAWN: SS

CHECKED: BR

PROJECT NO.

1202

DWG. NO.



A0.0

PLOT DATE:
D.P.A. No. :

05 FEB. 2014

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North - east corner facing Mountain Square



Mountain Square surrounded by Carleton Lodge and Sundial Hotel



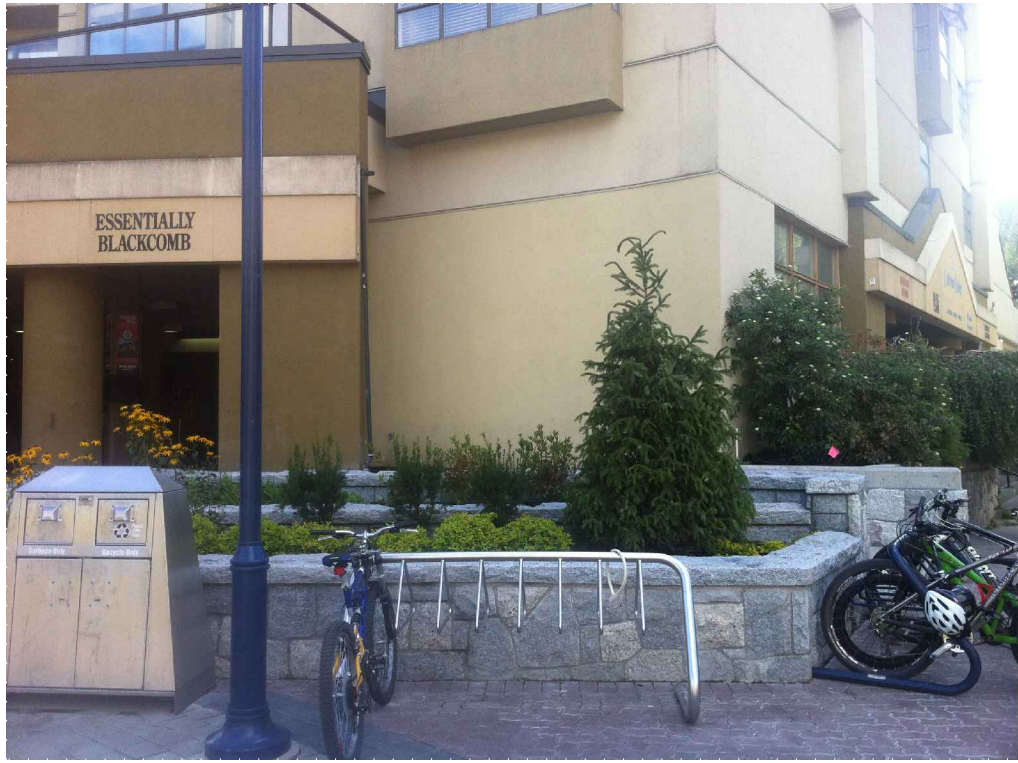
North - west corner facing Mountain Square



West facade



North entrance to the building f



North-west corner of the building



West entrance to the building



Ramp at the west facade

EXISTING BUILDING / SITE PHOTOS

MOUNTAIN SQUARE SIDE

MOUNTAIN SIDE



South-west corner of the building



South facade facing mountain



South facade with patio and plaza in front



East side of the building



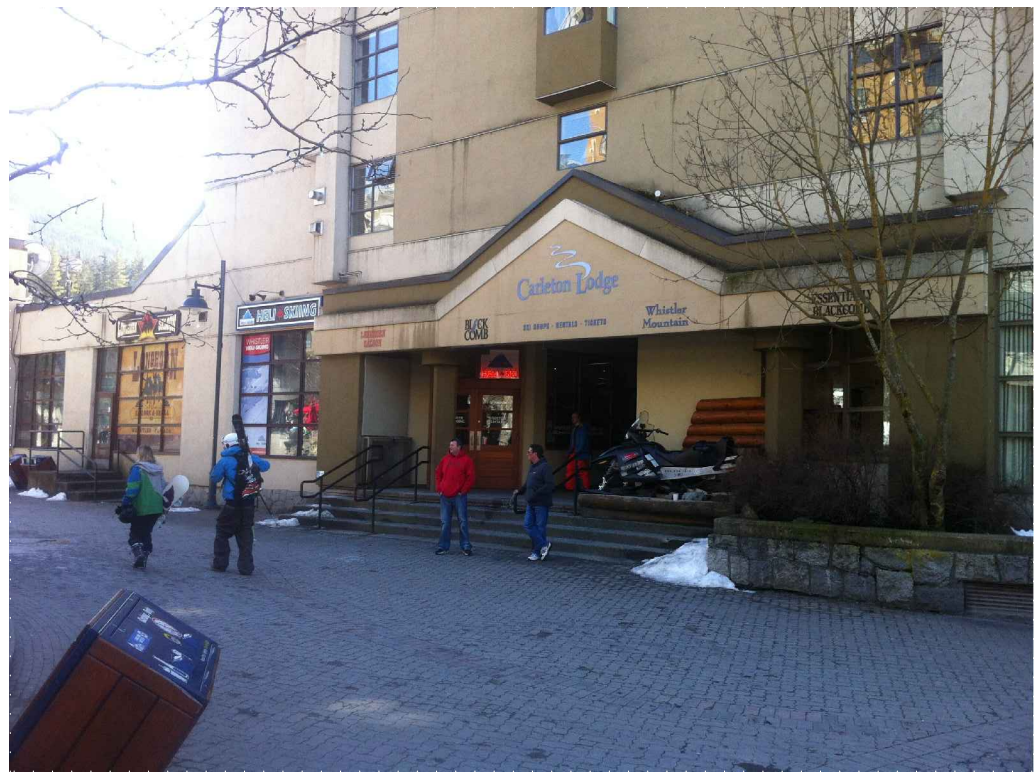
Landscaping at South-west corner



South west corner with landscaping



South side commercial use at ground floor



East entrance to the building

APPENDIX B



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ISSUED:
1. DPA
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DATE:
09 JAN, 2013
09 DEC, 2013

ISSUED FOR
D.P.A. Re-submission
09 December 2013

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CLIENT:

Project 1655, Bental Centre, 555 Burrard Street
PO Box 258, Vancouver, B.C. V7Y 3B8

PROJECT:

CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC

DRAWING TITLE:
SITE PHOTOS

DATABASE : 1202-0.1.dwg
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DATE : JAN 2012
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PROJECT NO. **1202**



DWG. NO.

A0.1

PLOT DATE:
D.P. A. No. :

05 NOV. 2013

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CENTRAL KIOSK



LONGHORN-CANOPY + KIOSK



SOUTH EAST-MOUNTAINSIDE



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CLIENT:

Suite 1605, Bentall Centre, 205 Burrard Street
PO Box 226, Vancouver, BC V7X 1A0

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
3D IMAGES

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DATE: FEB.2014
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PROJECT NO. 1202

DWG. NO.
A1.0

PLOT DATE: 05 FEB. 2014
D.P.A. No. :

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LONGHORN PATIO



LONGHORN-TYPICAL BAY



LONGHORN-CENTRAL KIOSK



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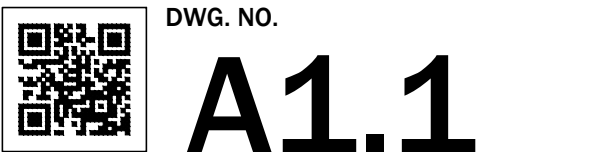
CLIENT:

Suite 1605, Bentall Centre, 205 Burrard Street
PO Box 226, Vancouver, BC V7X 1A0

PROJECT:
**CARLETON LODGE
Exterior Renovation**
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
3D IMAGES

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PROJECT NO. **1202**



PLOT DATE: 05 FEB. 2014
D.P. A. No. :

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WHISTLER/BLACKCOMB PATIO



WHISTLER/BLACKCOMB TYP. BAY



WHISTLER/BLACKCOMB BIKE WASH



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Suite 1405, Bentall Centre, 205 Burrard Street
PO Box 246, Vancouver, BC V7X 4B6

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
3D IMAGES

DATABASE: 1202-A1.0.dwg
SCALE: N/A
DATE: FEB. 2014
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PROJECT NO. 1202



DWG. NO.

A1.2

PLOT DATE:
D.P. A. No. :

05 FEB. 2014

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WEST SIDE-BARRIER FREE RAMP



NORTH WEST-OVERALL



NORTH-BREEZEWAY ENTRANCE



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PO Box 246, Vancouver, BC V7X 4A6

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
3D IMAGES

DATABASE: 1202-A1.0.dwg
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DATE: FEB. 2014
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PROJECT NO. 1202



DWG. NO.

A1.3

PLOT DATE:
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CLIENT:

Suite 1405, Bentall Centre, 205 Burrard Street
PO Box 226, Vancouver, B.C. V7X 1A0

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
3D IMAGES

DATABASE: 1202-A1.0.dwg
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DATE: FEB.2014
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CHECKED: BR

PROJECT NO. 1202

DWG. NO. **A1.4**

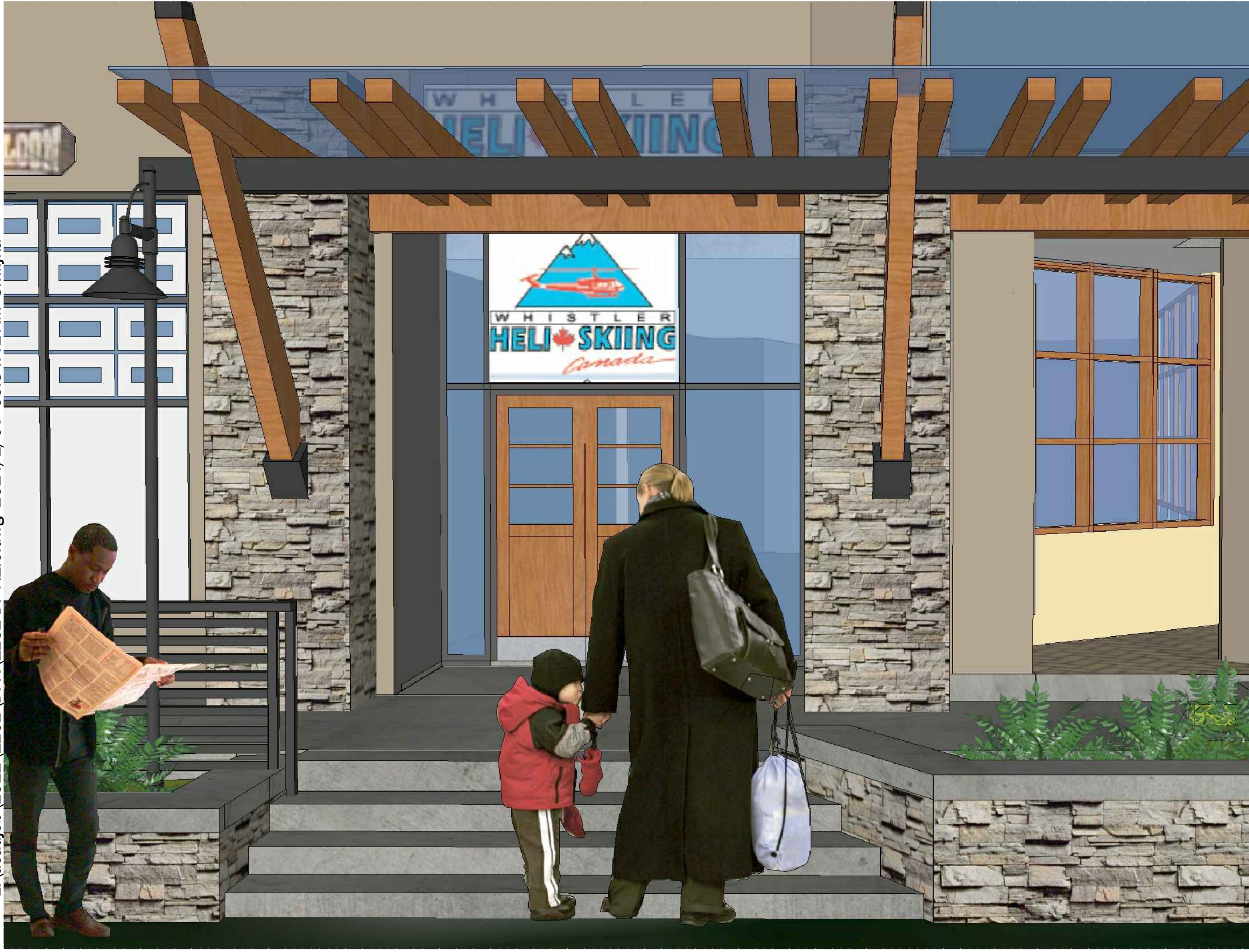
PLOT DATE: 05 FEB. 2014
D.P.A. No. :



NORTH EAST-OVERALL



NORTH-TYPICAL BAY

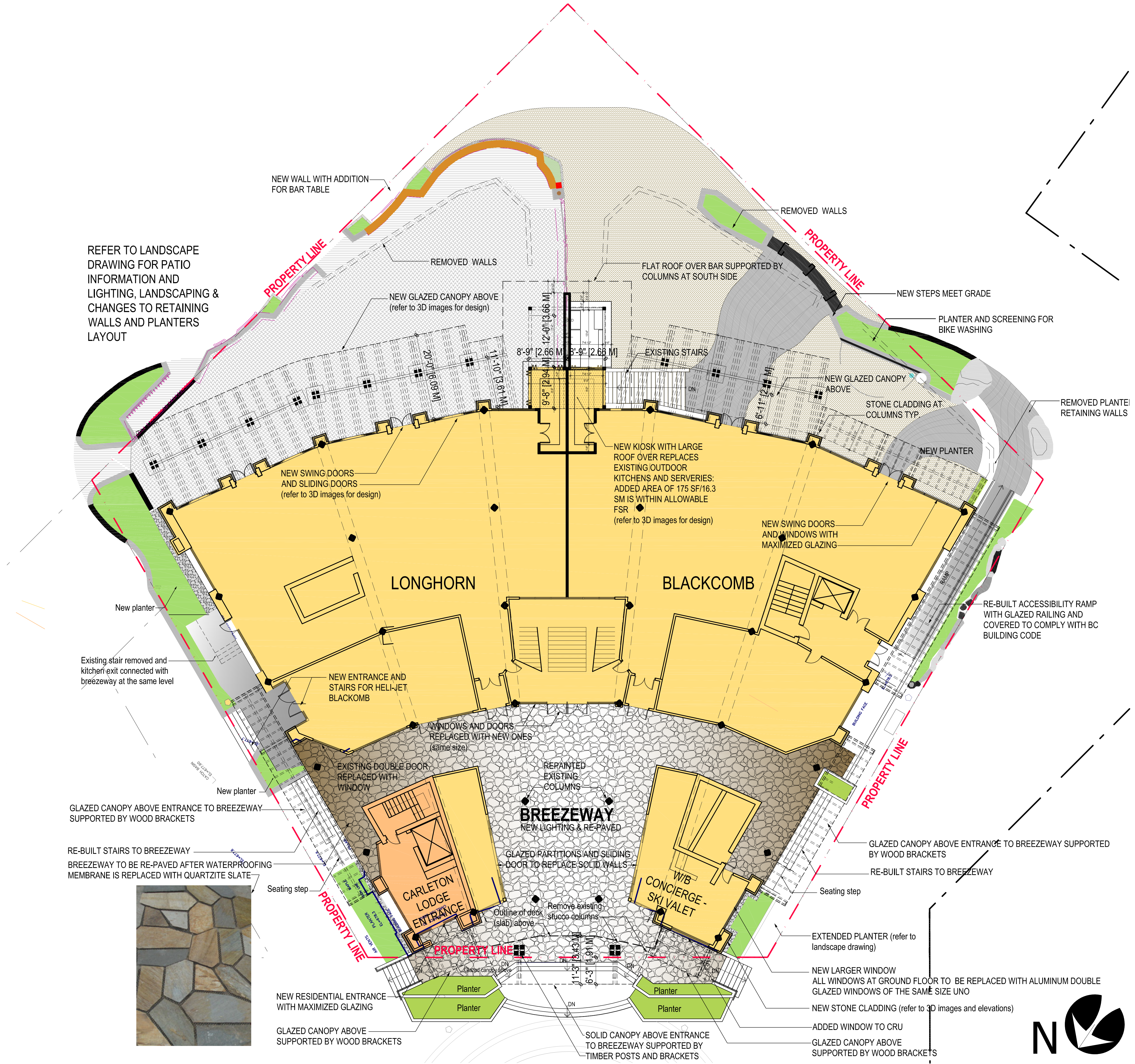


EAST-HELI SKIING ENTRY



EAST-PEDESTRIAN WALKWAY

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ISSUED: 1. DPA 2. DPA Re-submission

DATE: 09 JAN, 2013 09 DEC, 2013

ISSUED FOR
D.P.A. Re-submission
09 December 2013

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CLIENT:

Site 1465, Rental Centre, 555 Burrard Street
PO Box 225, Vancouver, BC, V7X 1A6

PROJECT:
**CARLETON LODGE
Exterior Renovation**
4200 Mountain Square, Whistler, BC

DRAWING TITLE:
**SITE PLAN /
1ST FLOOR**

DATABASE: 1202-A2.0.dwg

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DATE: SEPT. 2012

DRAWN: SS

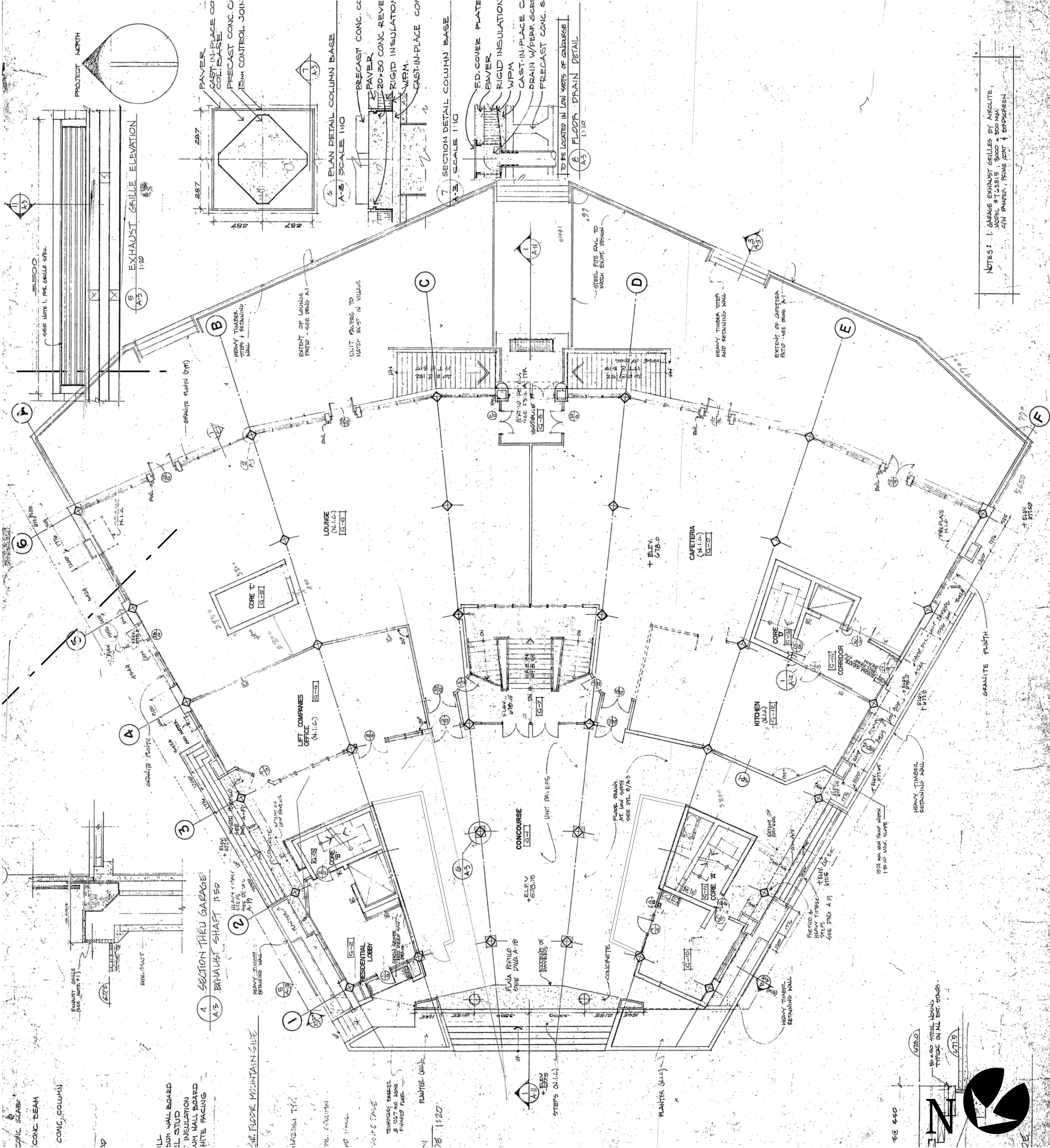
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PROJECT NO. **1202**

DWG. NO. **A2.0**

PLOT DATE: 05 NOV, 2013

D.P.A. No. :



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Vancouver, BC Canada
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1. DPA	09 JAN, 2013
2. DPA Re-submission	09 DEC, 2013

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D.P.A. Re-submission
09 December 2013

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ARCHITECTURAL SEAL:

CLIENT:

Suite 1655, Bentall Centre, 555 Burrard Street
PO Box 258, Vancouver, BC V7X 8B9

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC

DRAWING TITLE:
EXISTING
1ST FLOOR

DATABASE:	1202-A2.0.dwg
SCALE:	3/32"=1'-0"
DATE:	SEPT. 2012
DRAWN:	SS
CHECKED:	BR

PROJECT NO. **1202**

DWG. NO.
A2.0e

PLOT DATE: 05 NOV. 2013
D.P.A. No. :

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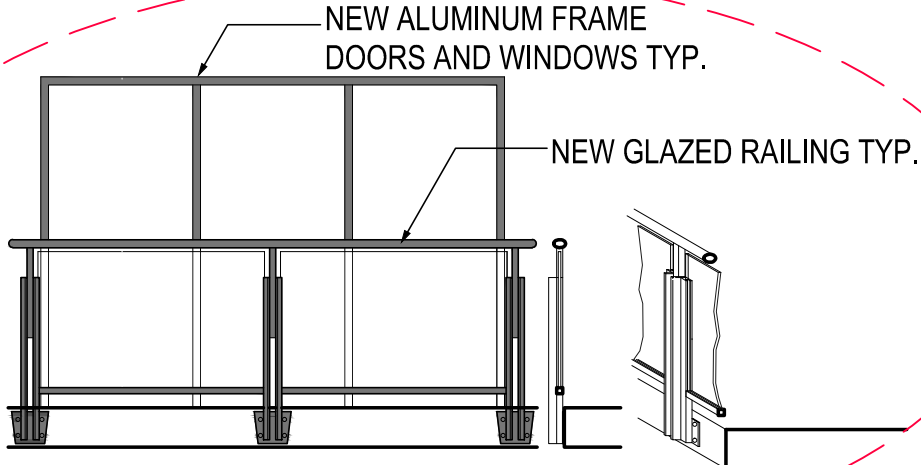


Proposed North elevation

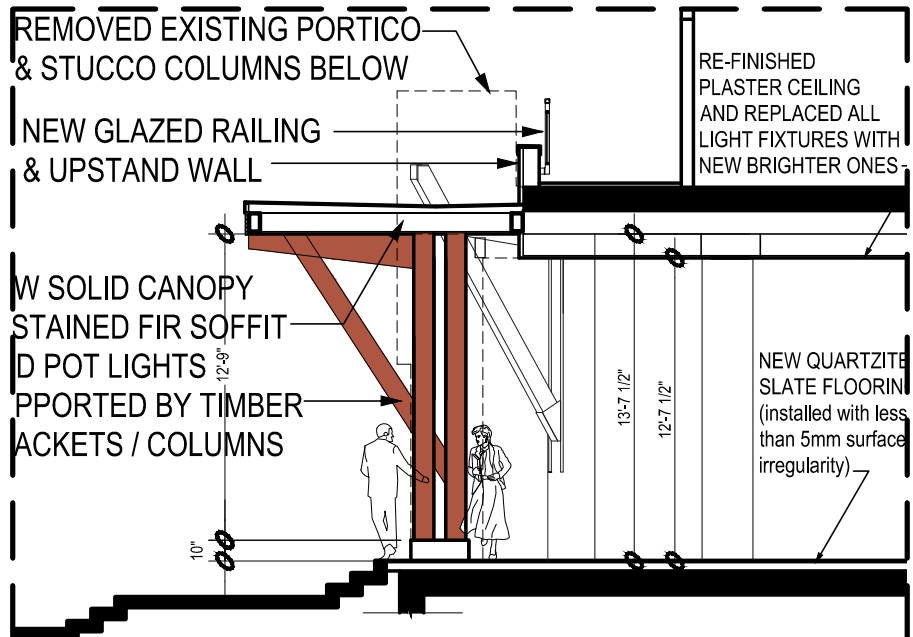
scale 1/8" = 1'-0"

NEW GLAZED CANOPY SUPPORTED BY TIMBER BRACKETS

Cornice detail



Railing detail



Entry canopy section A-A
scale 1/8" = 1'-0"

Existing building entrance



REPLACED ALL WINDOWS
REMOVED EXISTING PORTICO & STUCCO COLUMNS BELOW
EXISTING BREEZEWAY LIGHTING REPLACED WITH NEW, BRIGHTER LIGHTING
SOLID WALLS REPLACED WITH NEW ALUMINUM GLAZED WINDOWS AND SLIDING DOORS

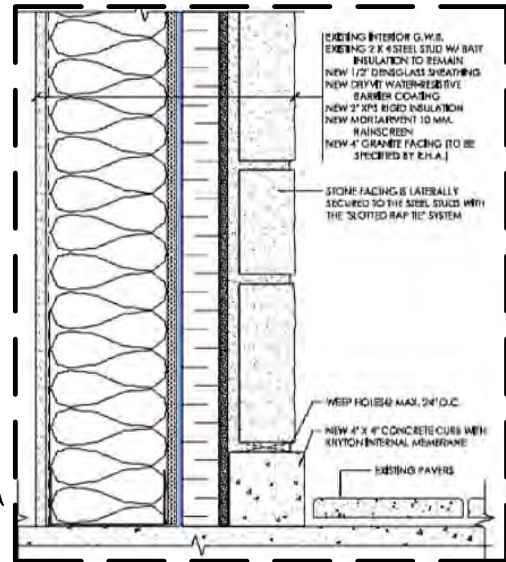
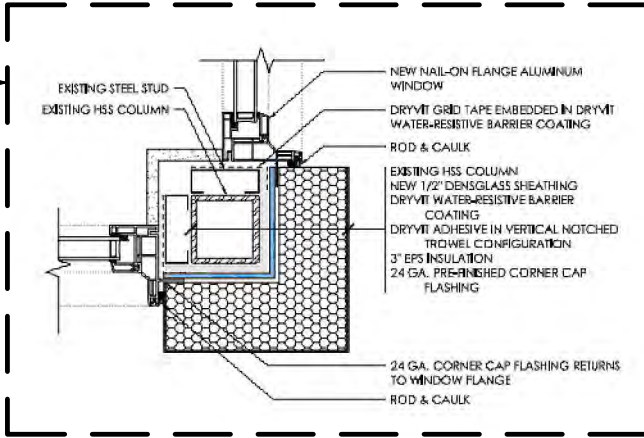
NEW ALUMINUM FRAME DOORS AND WINDOWS TYP.
NEW GLAZED RAILING TYP. AT DECKS
NEW GLAZED RAILING & UPSTAND WALL
NEW SOLID CANOPY WITH STAINED FIR SOFFIT AND POT LIGHTS, SUPPORTED BY TIMBER BRACKETS / COLUMNS WITH MAXIMIZED GLAZING
NEW ENTRANCE TO RESIDENTIAL LOBBY WITH MAXIMIZED GLAZING
NEW GLAZED CANOPY SUPPORTED BY TIMBER BRACKETS
NEW STONE CLADDING
ADDED GLAZING TO CRU SPACE



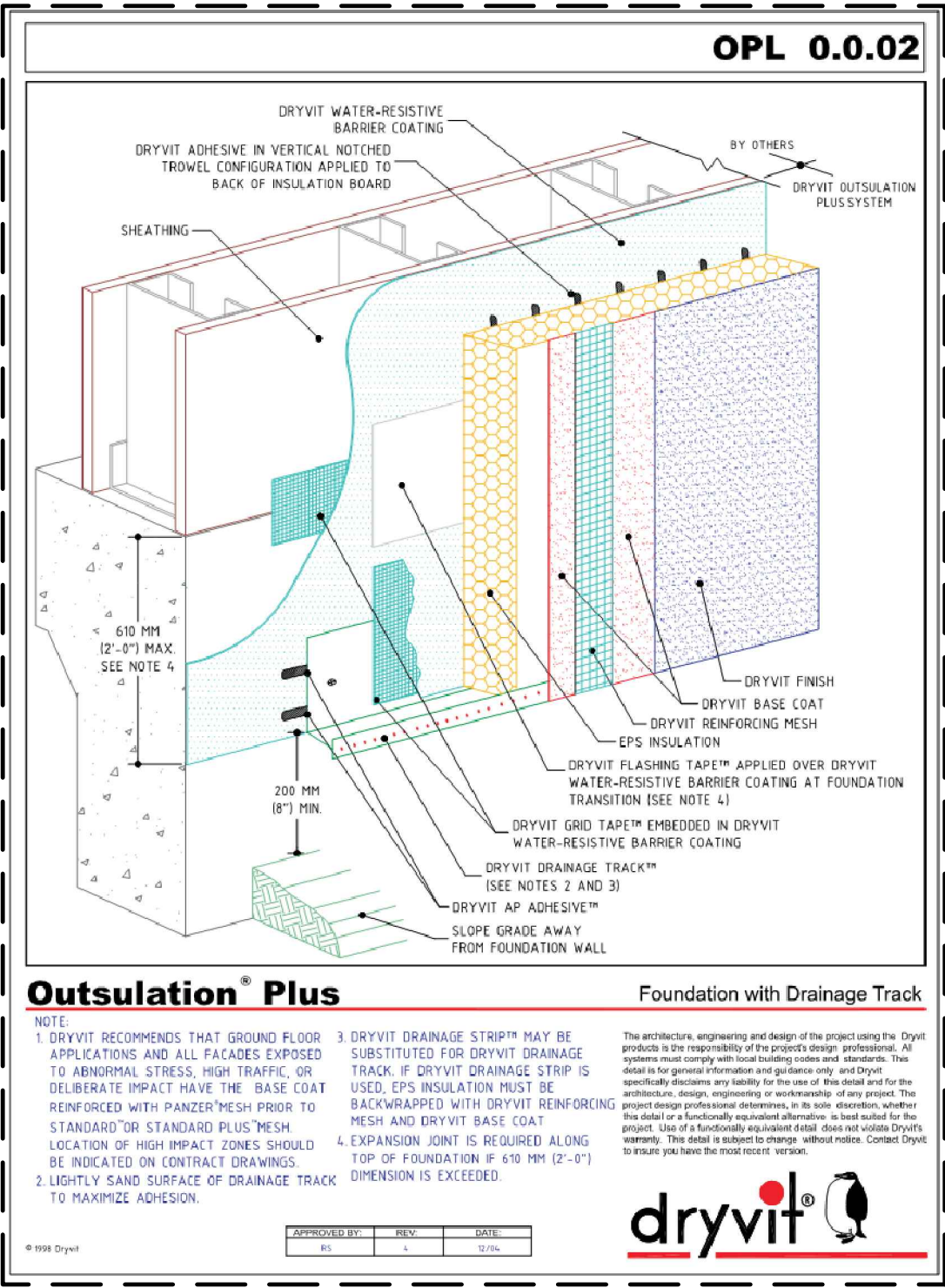
METAL CAP CORNERS TO REPLACE STUCCO AT WINDOW BY OUTSIDE CORNER TYP.

Proposed building entrance

NEW STONE CLADDING APPLIED OVER NEW LAYER OF RIGID INSULATION - refer to detail



TYP. NEW WALL ASSEMBLY (includes added rigid insulation to existing walls)



Existing Building - North side



Rositch Hemphill Architects

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ISSUED: DATE:
1. DPA 09 JAN. 2013
2. DPA Re-submission 09 DEC. 2013
3. Response to RMOW comments 05 FEB. 2014

NO. REVISION: DATE:

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ARCHITECTURAL SEAL:

CLIENT:

Suite 1405, Bentall Centre, 555 Burrard Street
PO Box 224, Vancouver, B.C. V7X 1A0

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
ELEVATION CHANGES

DATABASE: 1202-A3.0.dwg
SCALE: AS SHOWN
DATE: FEB. 2012
DRAWN: SS
CHECKED: BR

PROJECT NO. 1202



DWG. NO.

A3.0

PLOT DATE: 05 FEB. 2014
D.P. A. No. :



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3. Response to RMOW comments	05 FEB. 2014

NO. REVISION:	DATE:
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ARCHITECTURAL SEAL:

CLIENT:

Suite 1405, Bentall Centre, 205 Burrard Street
PO Box 246, Vancouver, B.C. V7X 1A0

PROJECT:
**CARLETON LODGE
Exterior Renovation**
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
ELEVATION DETAILS

DATABASE: 1202-A3.0.dwg
SCALE: AS SHOWN
DATE: JAN. 2012
DRAWN: SS
CHECKED: BR

PROJECT NO. 1202



DWG. NO.

A3.0a

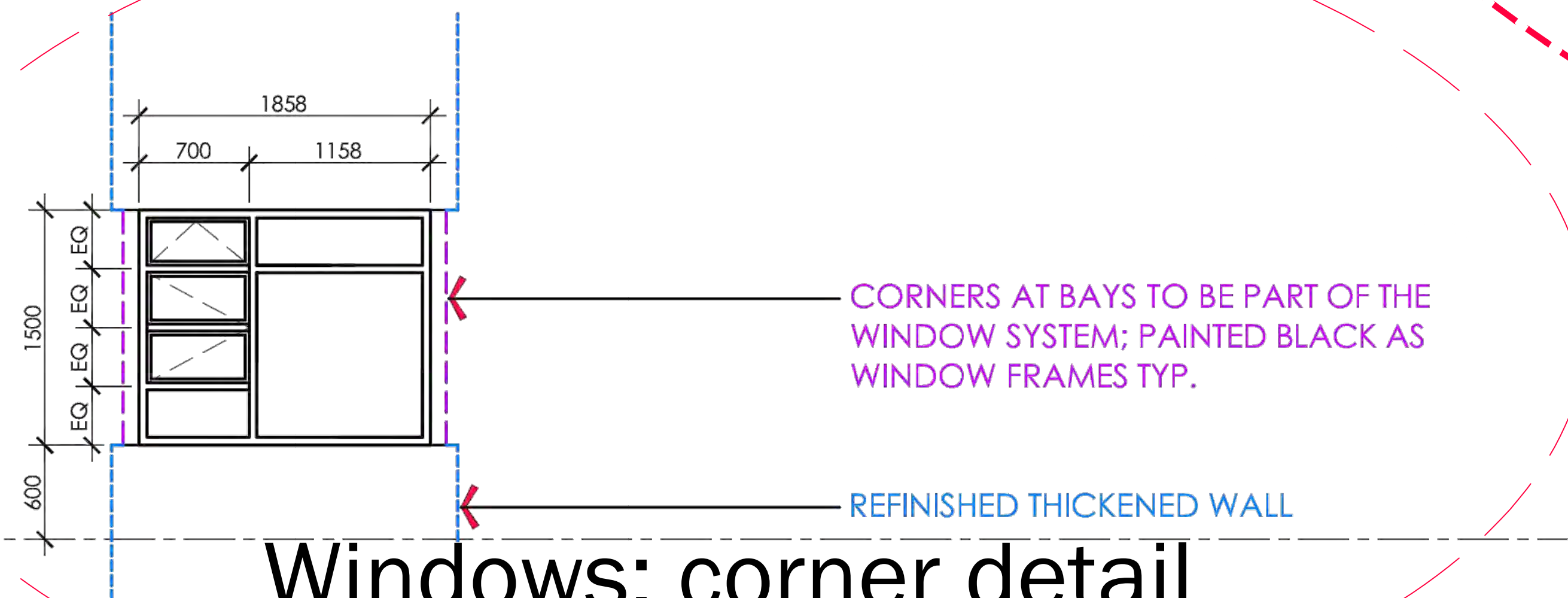
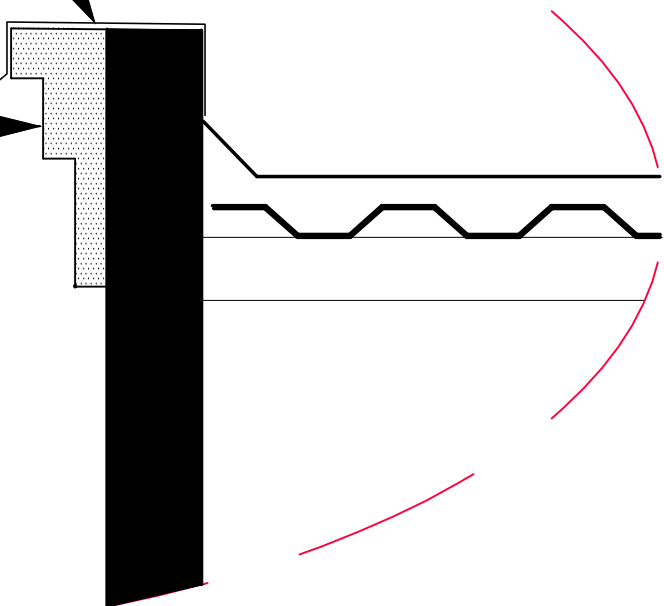
PLOT DATE: 05 FEB. 2014
D.P. A. No. :

NEW ROOF W/FLASHING OVER
PAINTED WOOD OR HARDIE FASCIA TRIMS



NEW FLASHING OVER
THICKENED CORNICE
(PAINTED EIFS)
to prevent dripping on
facade

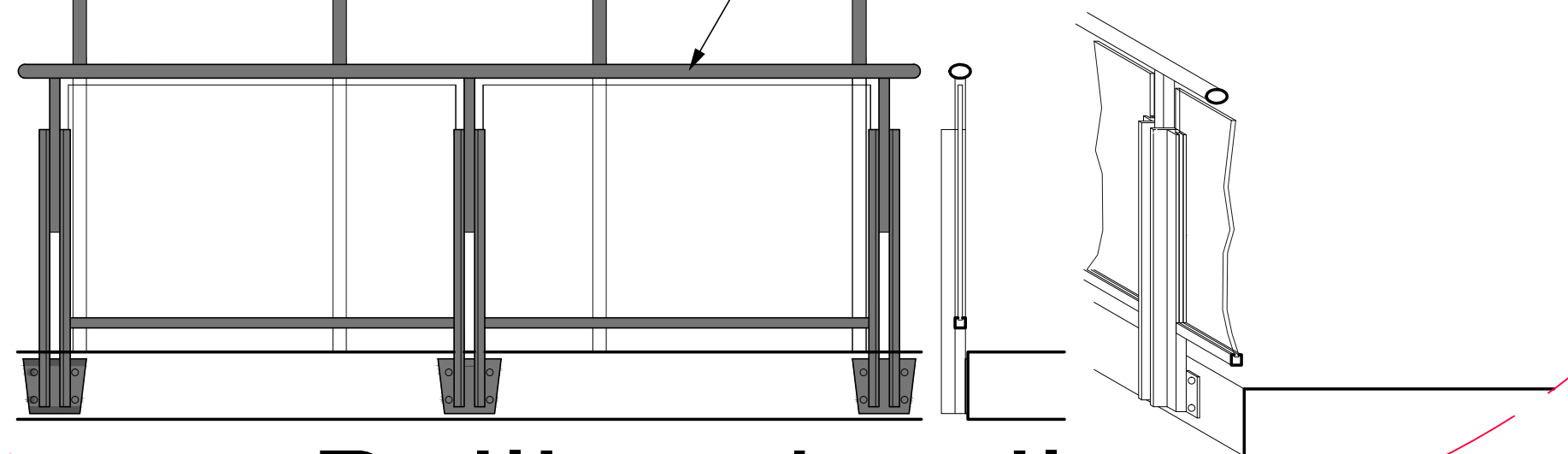
Cornice detail



**Windows: corner detail
& opening**

NEW ALUMINUM FRAME
DOORS AND WINDOWS TYP.
NEW GLAZED RAILING TYP.

Railing detail



REMOVED EXISTING PORTICO
& STUCCO COLUMNS BELOW
NEW GLAZED RAILING
& UPSTAND WALL
NEW SOLID CANOPY
W/STAINED FIR SOFFIT
AND POT LIGHTS
SUPPORTED BY TIMBER
BRACKETS / COLUMNS
RE-FINISHED
PLASTER CEILING
AND REPLACED ALL
LIGHT FIXTURES WITH
NEW BRIGHTER ONES
NEW QUARTZITE
SLATE FLOORING
(installed with less
than 5mm surface
irregularity)

Entry canopy section A-A



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Vancouver, BC Canada
V6A 1G1

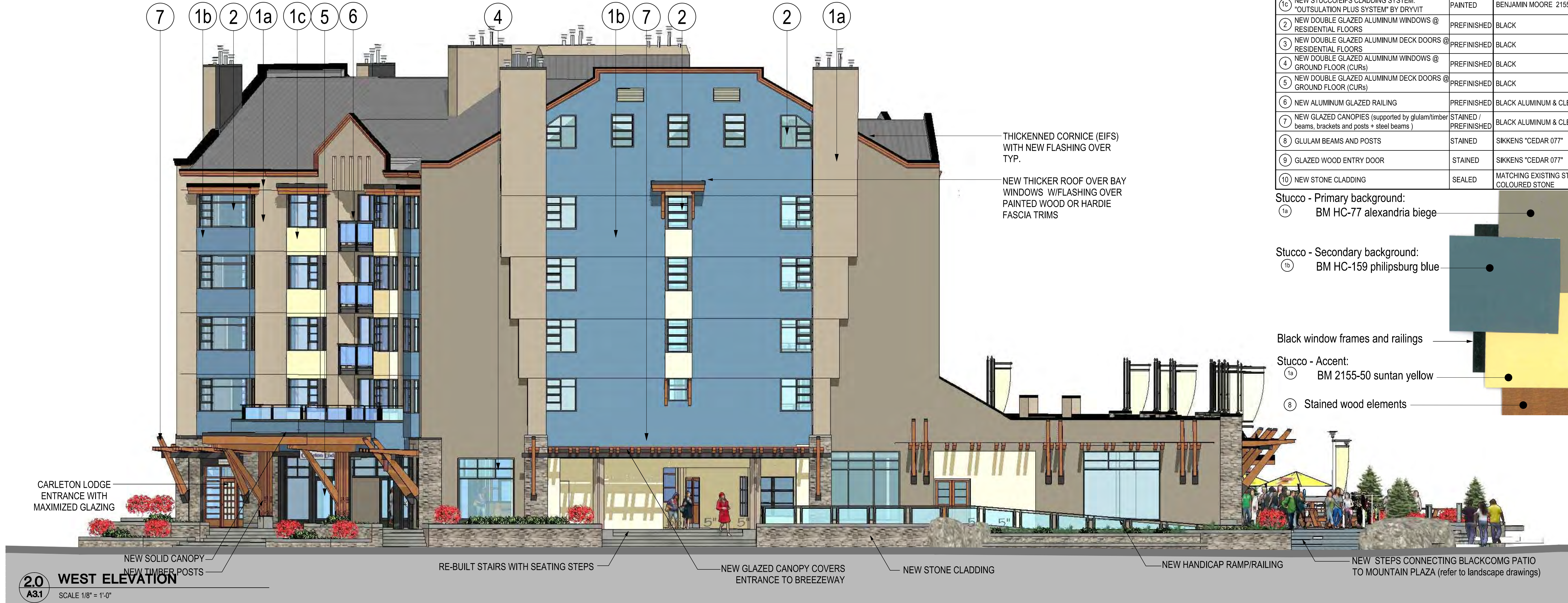
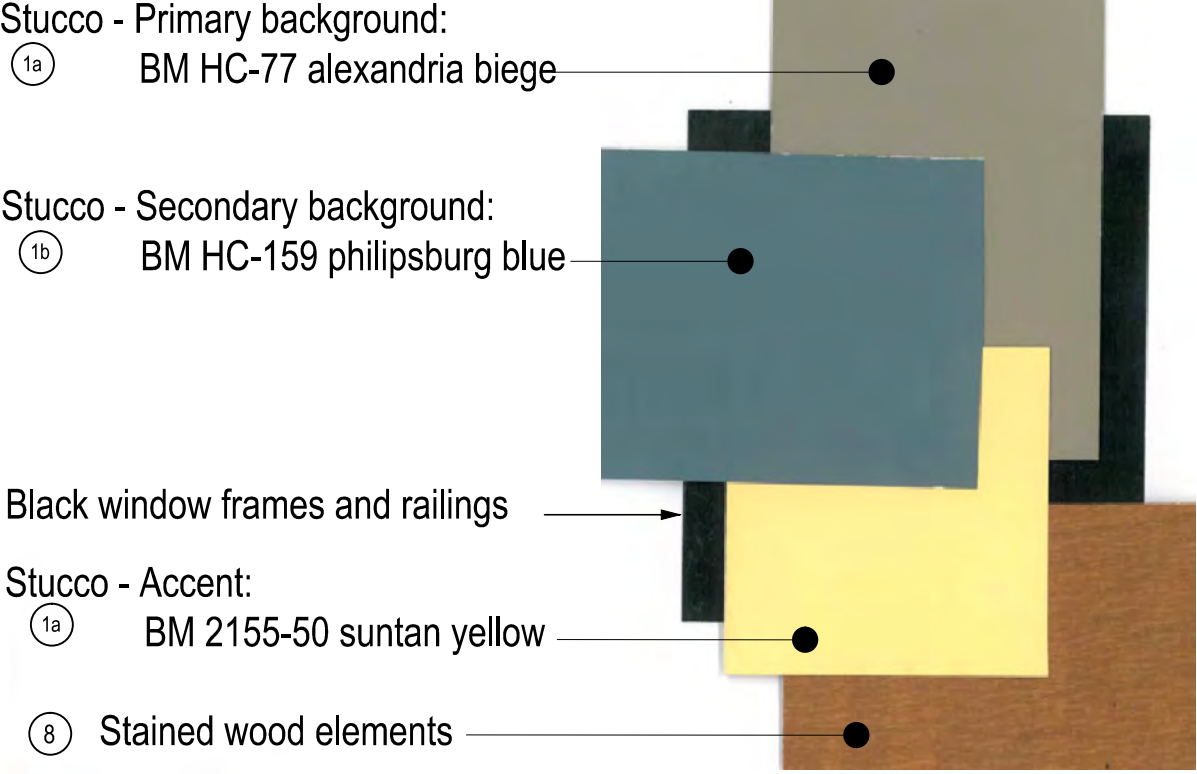
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ISSUED:	DATE:
1. DPA	09 JAN, 2013
2. DPA Re-submission	09 DEC, 2013
3. Response to RMOW comments	05 FEB, 2014



MATERIAL LEGEND		
MATERIALS		COLORS
19 NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE HC-77 alexandria biege
1b NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE HC-159 philipsburg blue
1c NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE 2155-50 suntan yellow
2 NEW DOUBLE GLAZED ALUMINUM WINDOWS @ RESIDENTIAL FLOORS	PREFINISHED	BLACK
3 NEW DOUBLE GLAZED ALUMINUM DECK DOORS @ RESIDENTIAL FLOORS	PREFINISHED	BLACK
4 NEW DOUBLE GLAZED ALUMINUM WINDOWS @ GROUND FLOOR (CURS)	PREFINISHED	BLACK
5 NEW DOUBLE GLAZED ALUMINUM DECK DOORS @ GROUND FLOOR (CURS)	PREFINISHED	BLACK
6 NEW ALUMINUM GLAZED RAILING	PREFINISHED	BLACK ALUMINUM & CLEAR GLASS
7 NEW GLAZED CANOPIES (supported by glulam/timber beams, brackets and posts + steel beams)	STAINED / PREFINISHED	BLACK ALUMINUM & CLEAR GLASS
8 GLULAM BEAMS AND POSTS	STAINED	SIKKENS "CEDAR 077"
9 GLAZED WOOD ENTRY DOOR	STAINED	SIKKENS "CEDAR 077"
10 NEW STONE CLADDING	SEALED	MATCHING EXISTING STONE + WARMER COLOURED STONE



NO. REVISION:	DATE:
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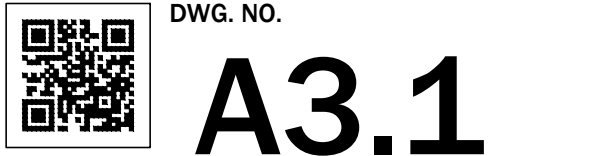
CLIENT:

Suite 1406, Bentall Centre, 555 Burrard Street
PO Box 228, Vancouver, B.C. V7X 4M6

PROJECT:
**CARLETON LODGE
Exterior Renovation**
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
ELEVATIONS

DATABASE:	1202-A4.0.dwg
SCALE:	N/A
DATE:	OCTOBER.2013
DRAWN:	CH
CHECKED:	

PROJECT NO. **1202**





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ISSUED:	DATE:
1. DPA	09 JAN, 2013
2. DPA Re-submission	09 DEC, 2013

ISSUED FOR

D.P.A. Re-submission

09 December 2013

NO. REVISION:	DATE:
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ARCHITECTURAL SEAL:

CLIENT:

Suite 1455, Bentall Centre, 555 Burrard Street
PO Box 250, Vancouver, B.C. V7X 8B9

PROJECT:

CARLETON LODGE
Exterior Renovation

4200 Mountain Square, Whistler, BC

DRAWING TITLE:

EXISTING ELEVATIONS

DATABASE : 1202-A4.0.dwg

SCALE : N/A

DATE : JAN.2013

DRAWN : CH

CHECKED :

PROJECT NO.

1202



DWG. NO.

A3.1e

PLOT DATE:

D.P. A. No. :

05 NOV. 2013





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ISSUED:	DATE:
1. DPA	09 JAN, 2013
2. DPA Re-submission	09 DEC, 2013
3. Response to RMOW comments	05 FEB, 2014



MATERIAL LEGEND		
MATERIALS		COLORS
1a NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE HC-77 alexandria biege
1b NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE HC-159 philipsburg blue
1c NEW STUCCO/EIFS CLADDING SYSTEM: "OUTSULATION PLUS SYSTEM" BY DRYVIT	PAINTED	BENJAMIN MOORE 2155-50 suntan yellow
2 NEW DOUBLE GLAZED ALUMINUM WINDOWS @ RESIDENTIAL FLOORS	PREFINISHED	BLACK
3 NEW DOUBLE GLAZED ALUMINUM DECK DOORS @ RESIDENTIAL FLOORS	PREFINISHED	BLACK
4 NEW DOUBLE GLAZED ALUMINUM WINDOWS @ GROUND FLOOR (CURS)	PREFINISHED	BLACK
5 NEW DOUBLE GLAZED ALUMINUM DECK DOORS @ GROUND FLOOR (CURS)	PREFINISHED	BLACK
6 NEW ALUMINUM GLAZED RAILING	PREFINISHED	BLACK ALUMINUM & CLEAR GLASS
7 NEW GLAZED CANOPIES (supported by glulam/timber beams, brackets and posts + steel beams)	STAINED / PREFINISHED	BLACK ALUMINUM & CLEAR GLASS
8 GLULAM BEAMS AND POSTS	STAINED	SIKKENS "CEDAR 077"
9 GLAZED WOOD ENTRY DOOR	STAINED	SIKKENS "CEDAR 077"
10 NEW STONE CLADDING	SEALED	MATCHING EXISTING STONE + WARMER COLOURED STONE

- Stucco - Primary background:
1a BM HC-77 alexandria biege
- Stucco - Secondary background:
1b BM HC-159 philipsburg blue
- Black window frames and railings
- Stucco - Accent:
1c BM 2155-50 suntan yellow
- 8 Stained wood elements



NO. REVISION:	DATE:
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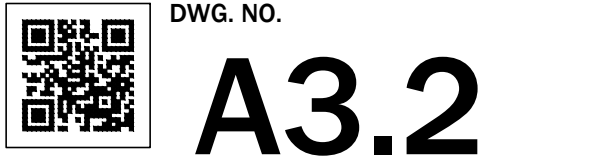
CLIENT:

Suite 1406, Bentall Centre, 555 Burrard Street
PO Box 228, Vancouver, B.C. V7X 4M6

PROJECT:
CARLETON LODGE
Exterior Renovation
4200 Mountain Square, Whistler, BC
DRAWING TITLE:
ELEVATIONS

DATABASE:	1202-A4.0.dwg
SCALE:	N/A
DATE:	OCTOBER.2013
DRAWN:	CH
CHECKED:	

PROJECT NO. **1202**



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ISSUED:	DATE:
1. DPA	09 JAN, 2013
2. DPA Re-submission	09 DEC, 2013

09 December 2013

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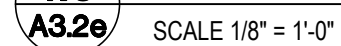
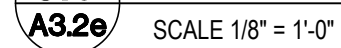
Suite 1465, Bentall Centre, 555 Burrard Street
PO Box 229, Vancouver, B.C. V7X 1M9

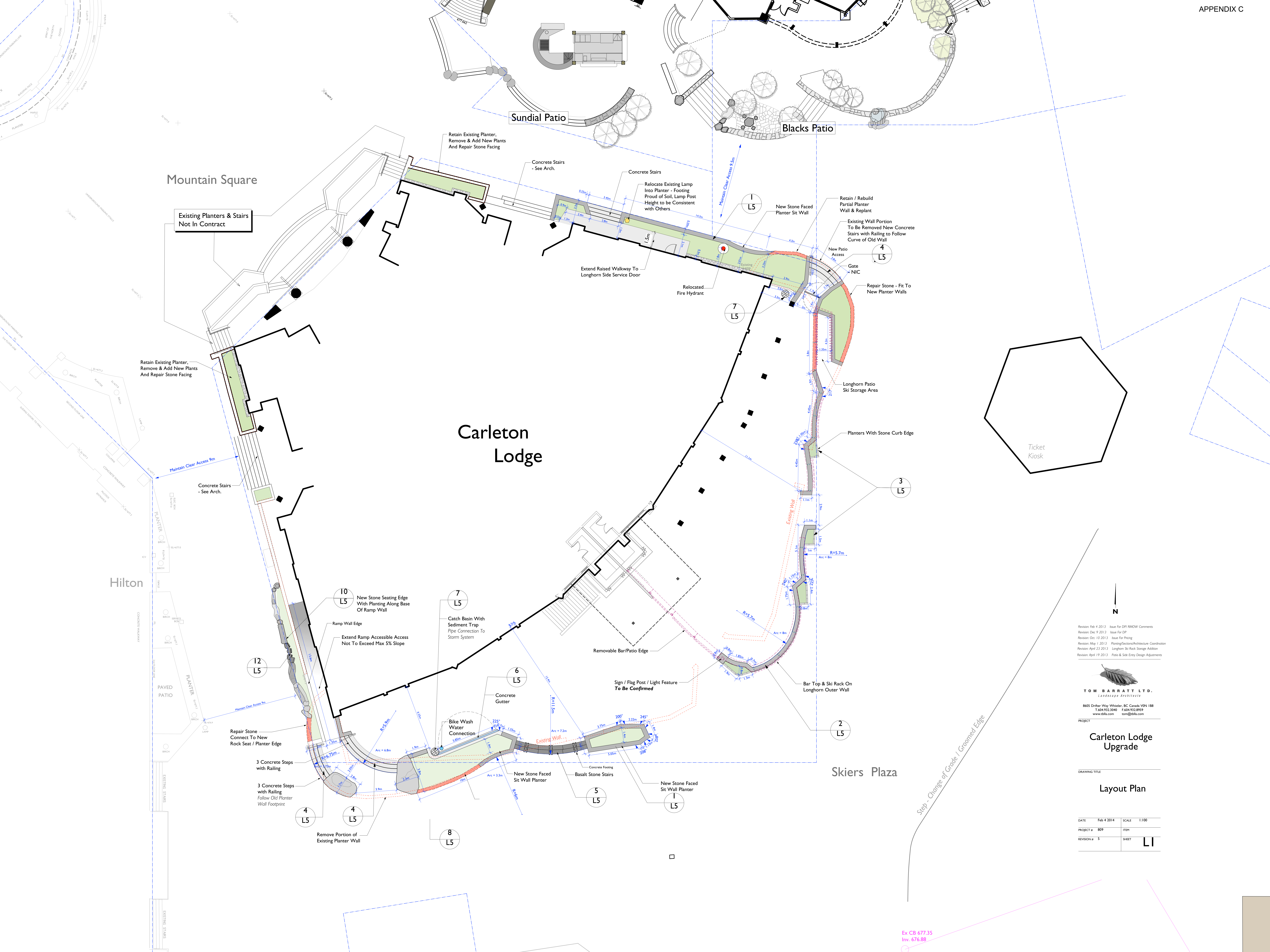
1202



A3.2e

PLOT DATE: 05 NOV. 2013
D.P. A. No. :





Revision: Feb 4 2013 Issue For DP/ RWDW Comments
Revision: Dec 9 2013 Issue For DP
Revision: Oct 10 2013 Issue For Pricing
Revision: May 1 2013 Planting/Sections/Architecture Coordination
Revision: April 23 2013 Longhorn Ski Rock Storage Addition
Revision: April 19 2013 Patio & Side Entry Design Adjustments

TOM BARRATT LTD.
Landscape Architects
8605 Drifter Way Whistler, BC Canada V8N 1B8
T: 604.932.3040 F: 604.932.8959
www.tblla.com tom@tblla.com

PROJECT

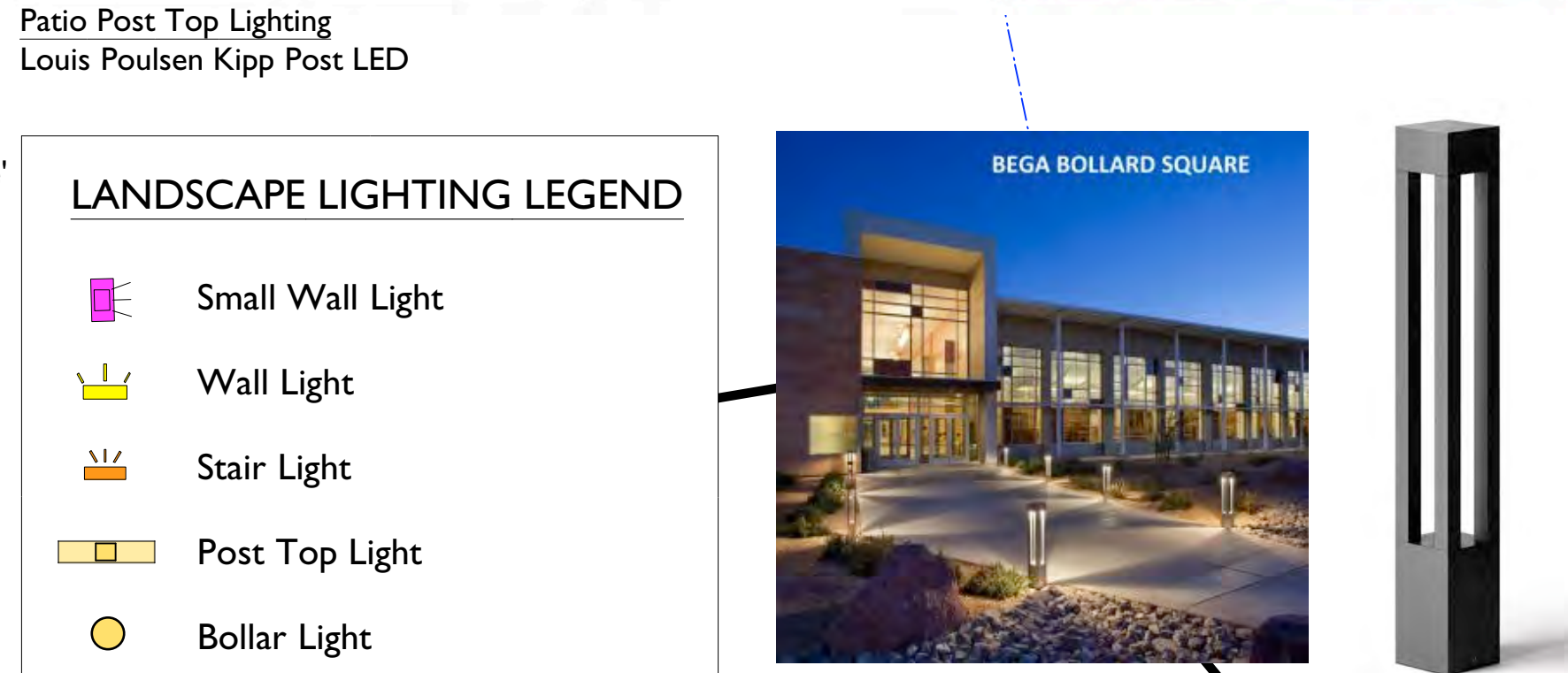
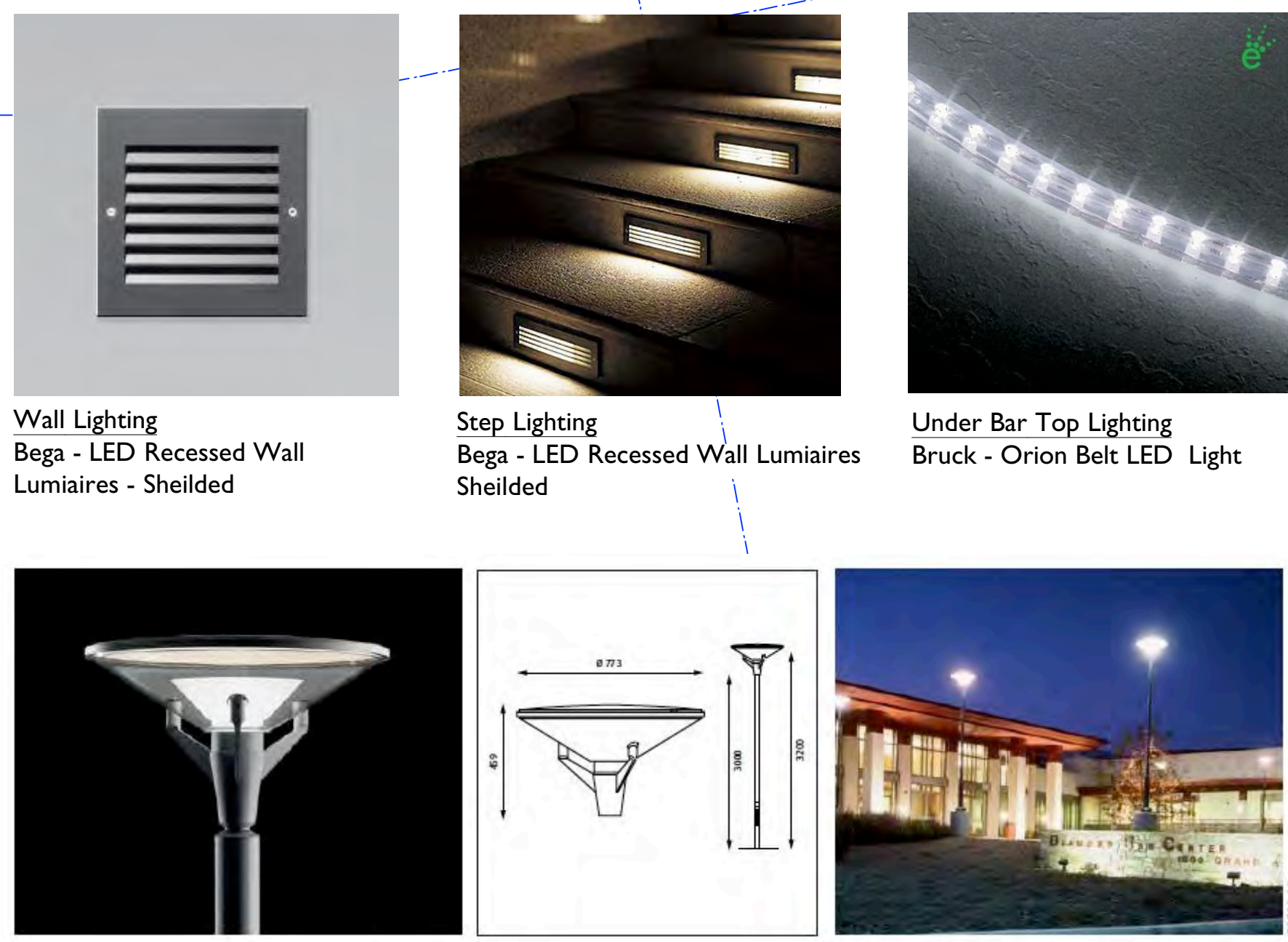
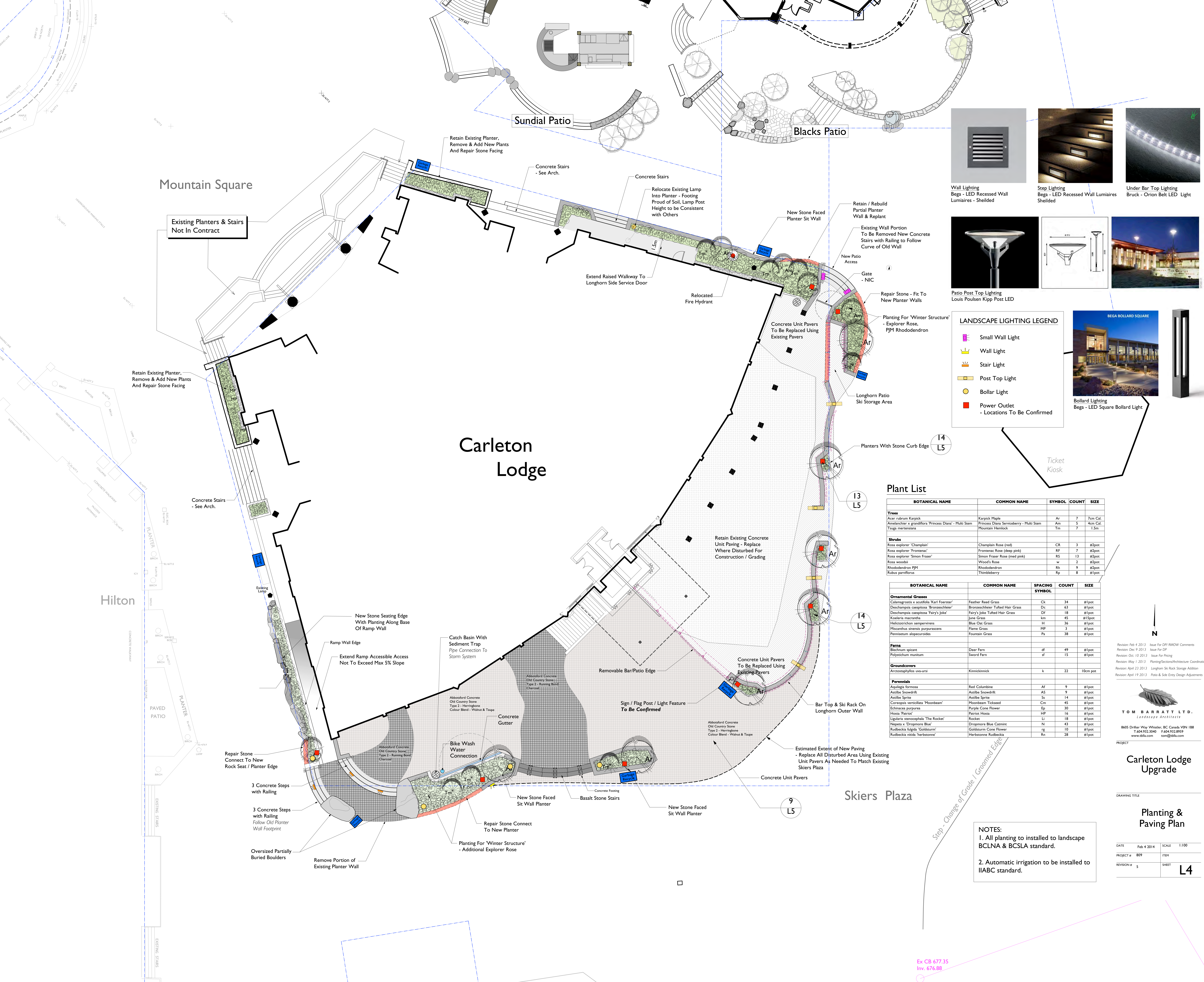
Carleton Lodge Upgrade

DRAWING TITLE

Layout Plan

DATE	Feb 4 2014	SCALE	1:100
PROJECT #	809	ITEM	
REVISION #	5	SHEET	LI

Ex CB 677.35
Inv. 676.88



LANDSCAPE LIGHTING LEGEND

- Small Wall Light
- Wall Light
- Stair Light
- Post Top Light
- Bollard Light
- Power Outlet - Locations To Be Confirmed

Plant List

BOTANICAL NAME	COMMON NAME	SYMBOL	COUNT	SIZE
Trees				
Acer rubrum Karpick	Karpick Maple	Ar	7	7cm Cal.
Amelanchier x grandiflora 'Princess Diana' - Multi Stem	Princess Diana Serviceberry - Multi Stem	Am	5	4cm Cal.
Tsuga mertensiana	Mountain Hemlock	Tm	7	1.5m
Shrubs				
Rosa explorer 'Champlain'	Champlain Rose (red)	CR	3	#2pot
Rosa explorer 'Frontenac'	Frontenac Rose (deep pink)	RF	7	#2pot
Rosa explorer 'Simon Fraser'	Simon Fraser Rose (ined pink)	RS	13	#2pot
Rosa woodsii	Wood's Rose	w	2	#2pot
Rhododendron PJM	Rhododendron	Rh	9	#2pot
Rubus parviflorus	Thimbleberry	Rp	8	#1pot
Ornamental Grasses				
Calamagrostis x acutifolia 'Karl Foerster'	Feather Reed Grass	Cl	34	#1pot
Deschampsia caespitosa 'Bronzschleier'	Bronzschleier Tufted Hair Grass	Dc	43	#1pot
Deschampsia caespitosa 'Fairy's Joke'	Fairy's Joke Tufted Hair Grass	Df	18	#1pot
Koeleria macrantha	June Grass	km	45	#1.5pot
Blue Oat Grass	Blue Oat Grass	JA	36	#1pot
Miscanthus sinensis purpurascens	Flame Grass	MP	3	#1pot
Pennisetum alopecuroides	Fountain Grass	Pa	38	#1pot
Ferns				
Blechnum spicant	Deer Fern	df	49	#1pot
Polystichum munium	Sword Fern	sf	15	#1pot
Groundcovers				
Arctostaphylos uva-ursi	Kinnikinnick	k	22	10cm pot
Perennials				
Aquilegia formosa	Red Columbine	Af	9	#1pot
Astilbe Snowdrift	Astilbe Snowdrift	AS	9	#1pot
Astilbe Sprin	Astilbe Sprin	Ss	14	#1pot
Coreopsis verticillata 'Moonbeam'	'Moonbeam' Tickseed	Cm	45	#1pot
Echinacea purpurea	Purple Cone Flower	Ep	30	#1pot
Hosta 'Patriot'	Patriot Hosta	HP	16	#1pot
Ligularia sinensis 'The Rocket'	'The Rocket'	Lz	18	#1pot
Nepeta x 'Dropmore Blue'	'Dropmore Blue' Catmint	N	43	#1pot
Rudbeckia fulgida 'Goldstrum'	Goldstrum Cone Flower	rg	10	#1pot
Rudbeckia nitida 'Herbststern'	'Herbststern' Rudbeckia	Rn	28	#1pot

Revision: Feb 4 2013 Issue For DP/ RNCW Comments
Revision: Dec 9 2013 Issue For DP
Revision: Dec 10 2013 Issue For Pricing
Revision: May 1 2013 Planting/Sections/Architecture Coordination
Revision: April 23 2013 Longhorn Ski Rack Storage Addition
Revision: April 19 2013 Photo & Site Entry Design Adjustments

TOM BARRATT LTD.
LANDSCAPE ARCHITECTS

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www.tblla.com tom@tblla.com

PROJECT

Carleton Lodge Upgrade

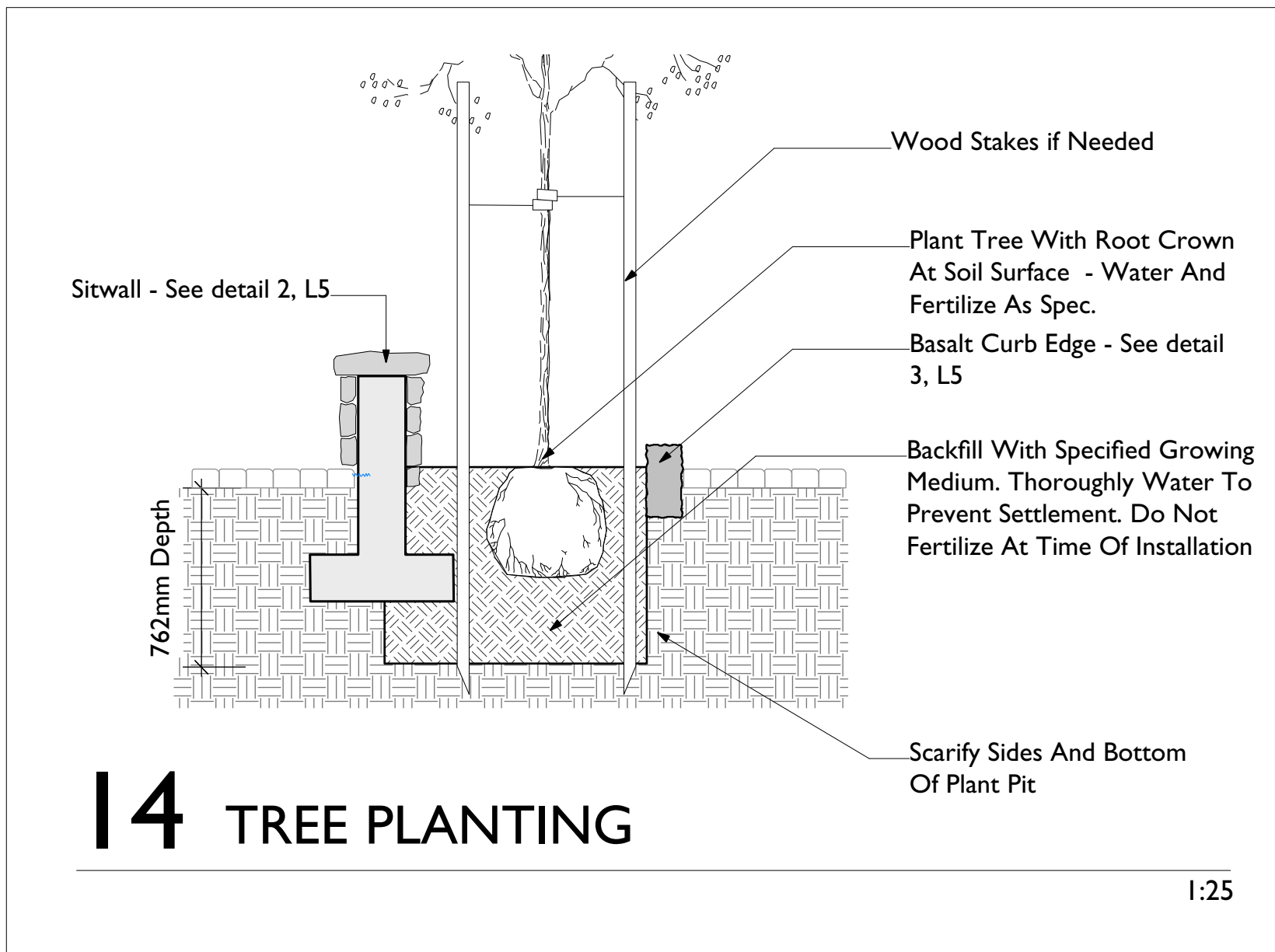
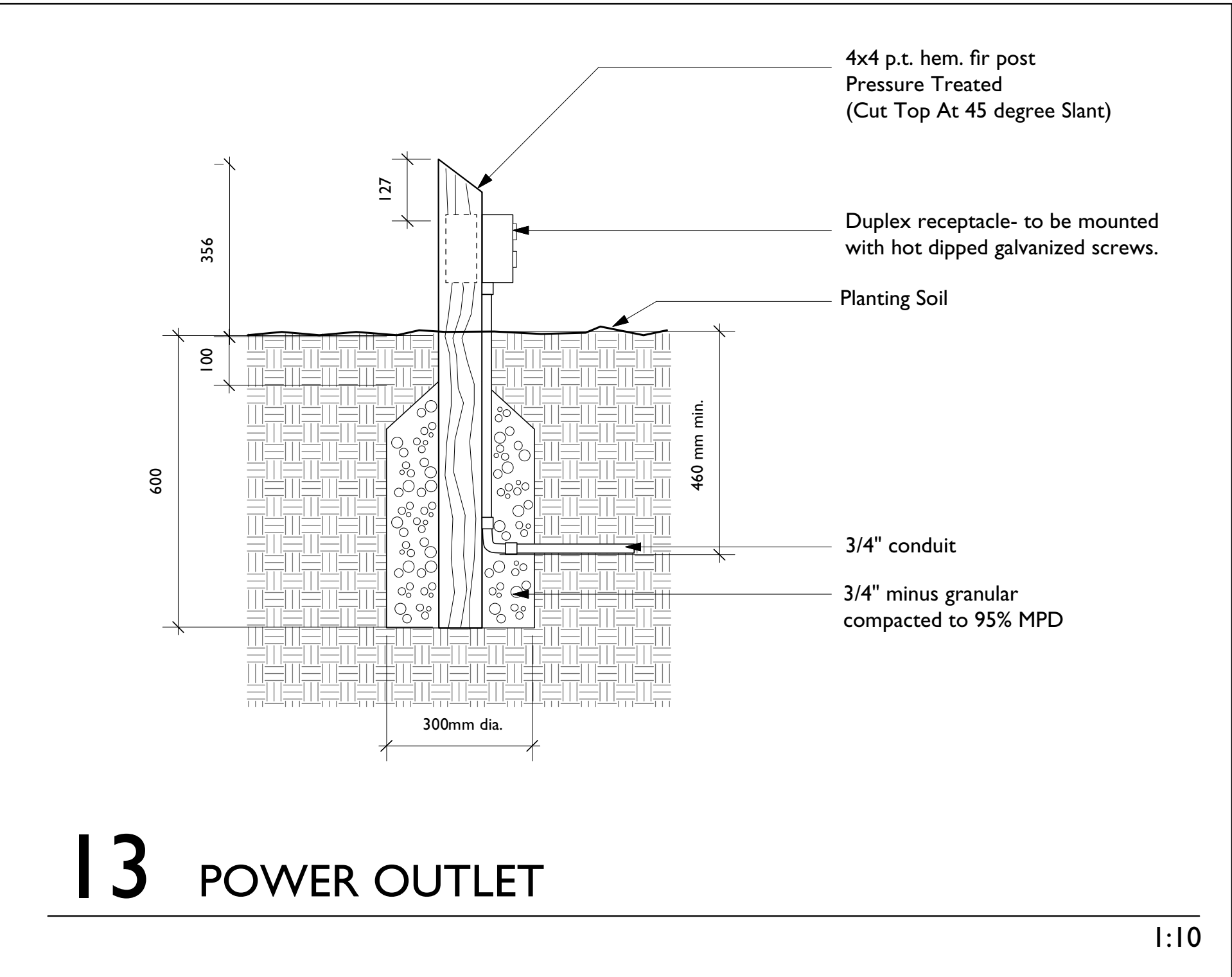
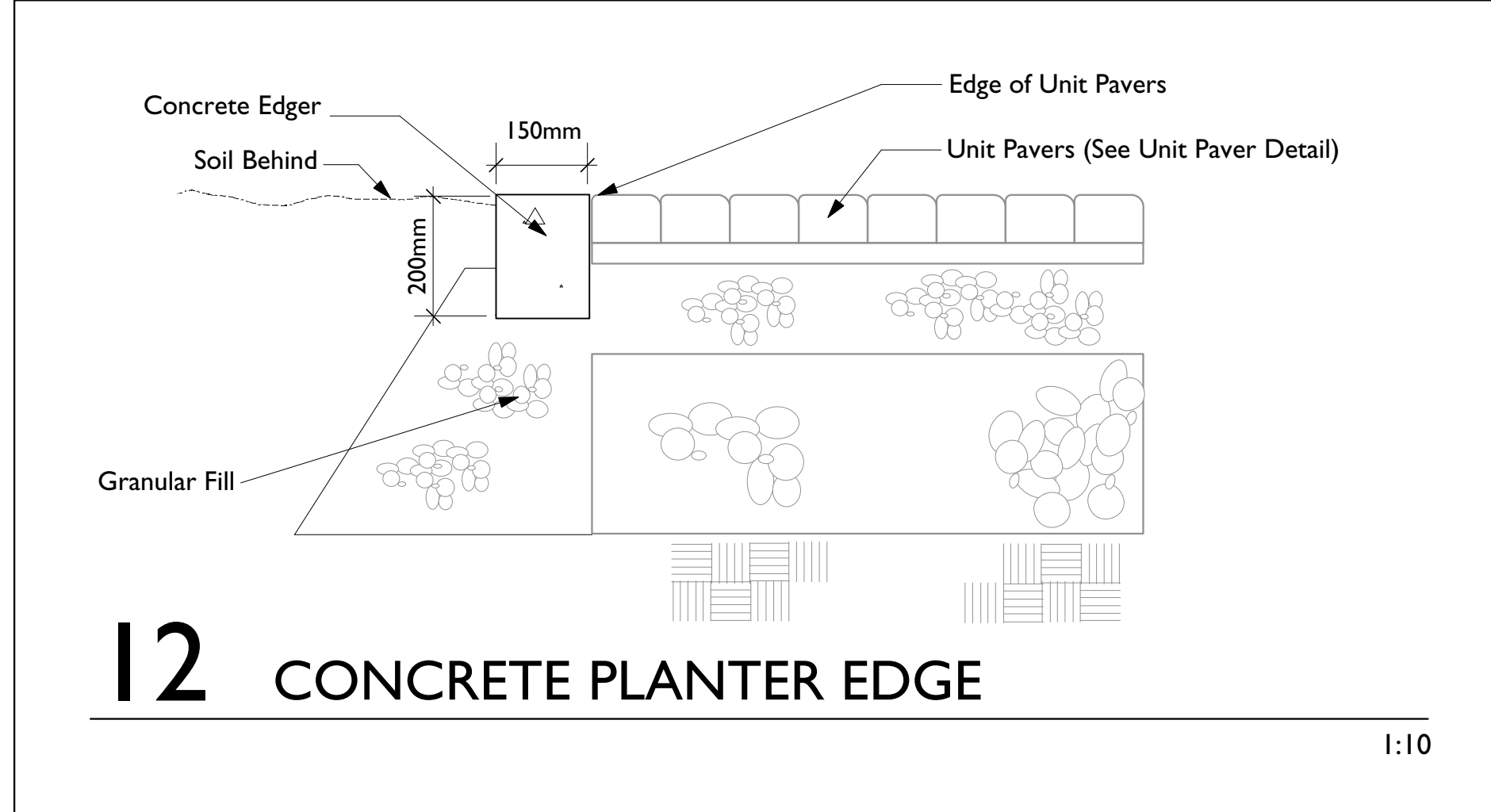
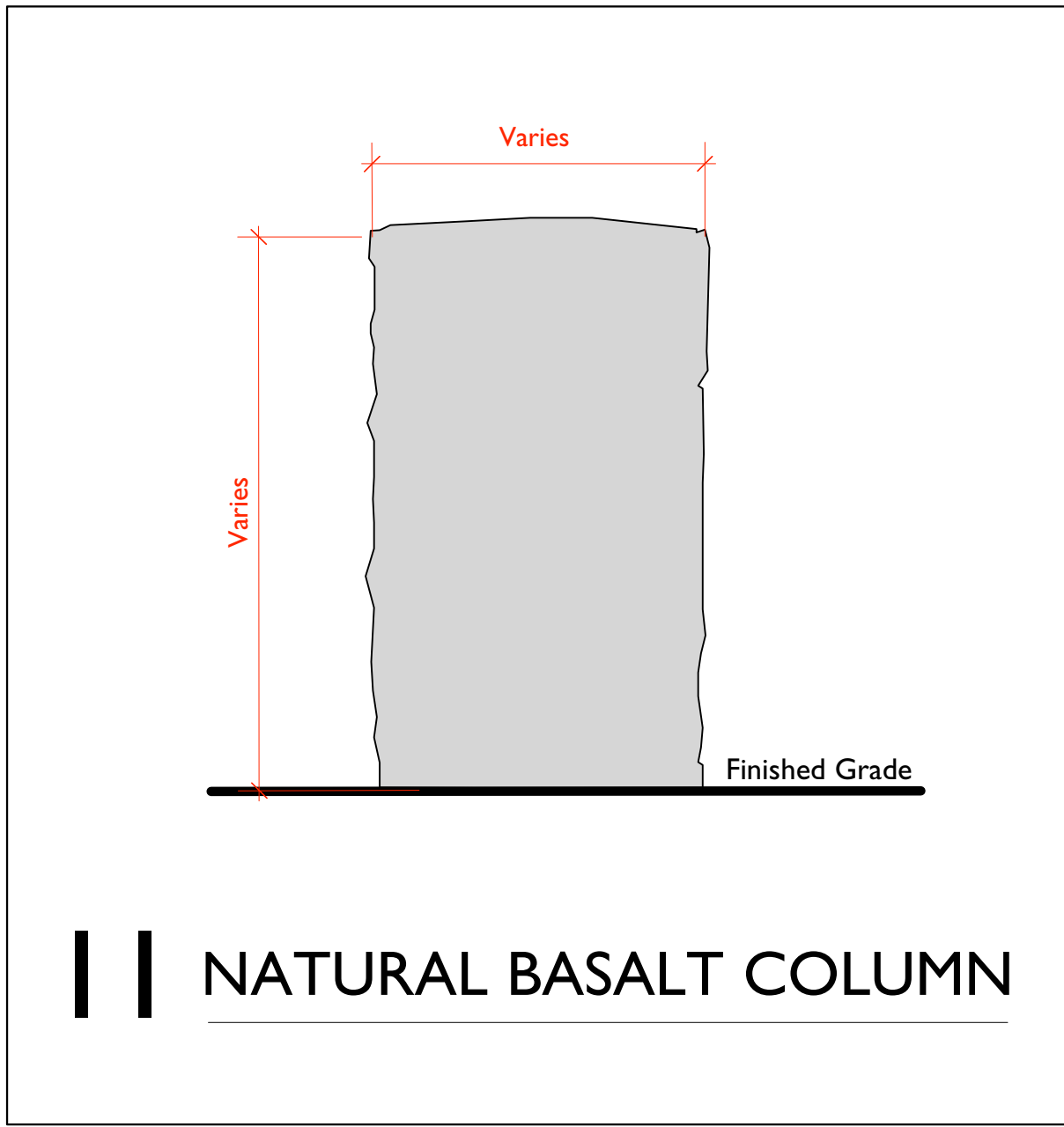
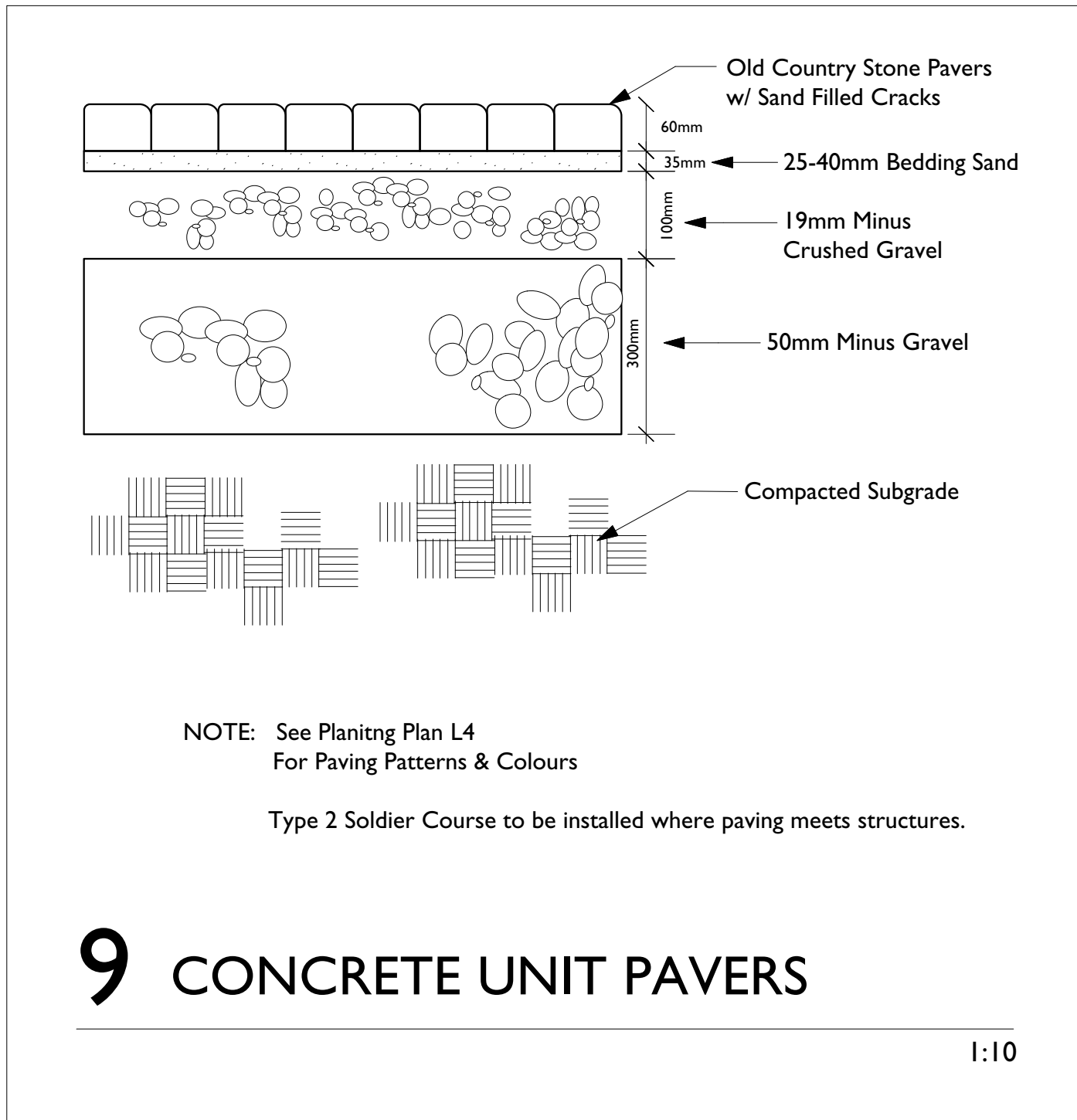
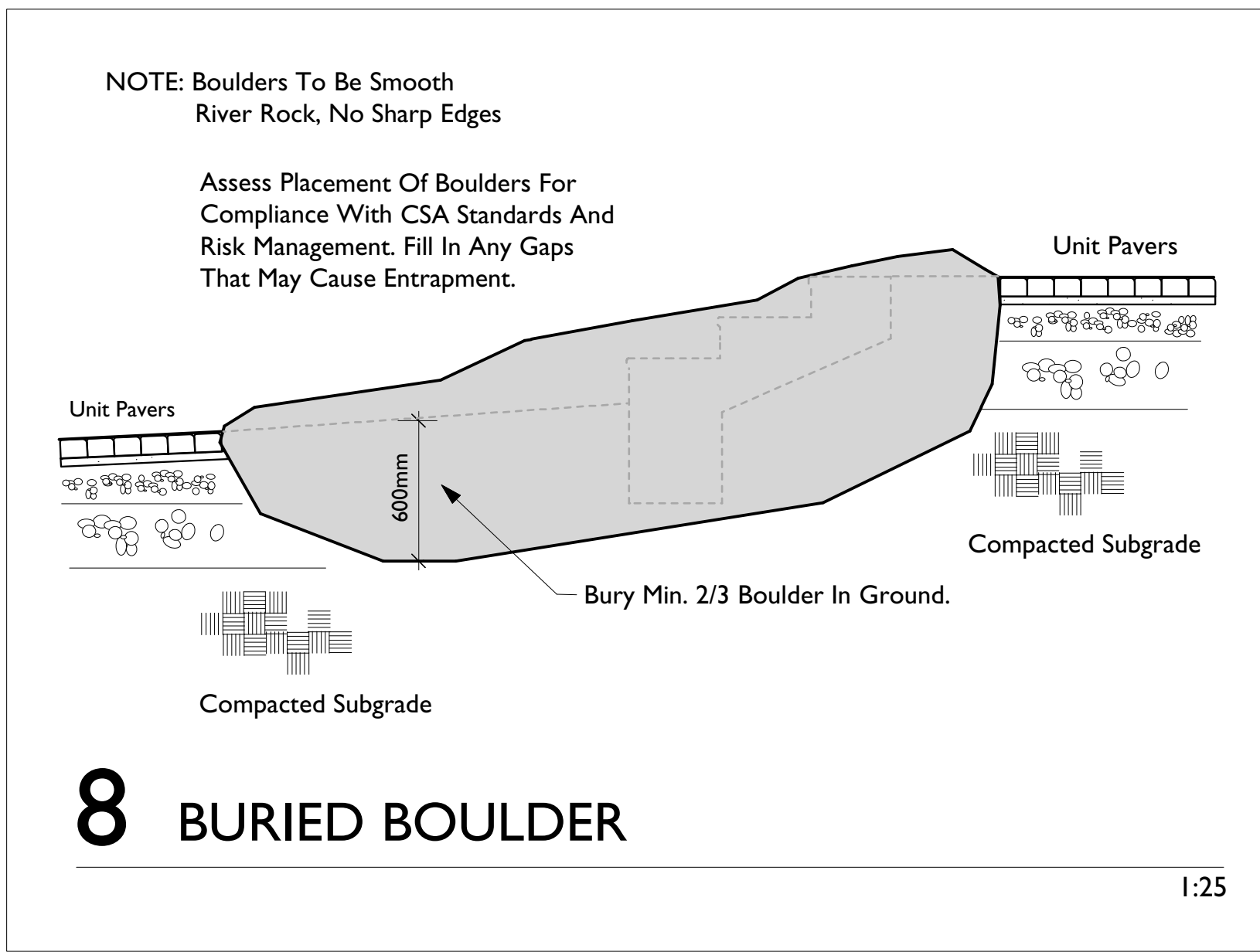
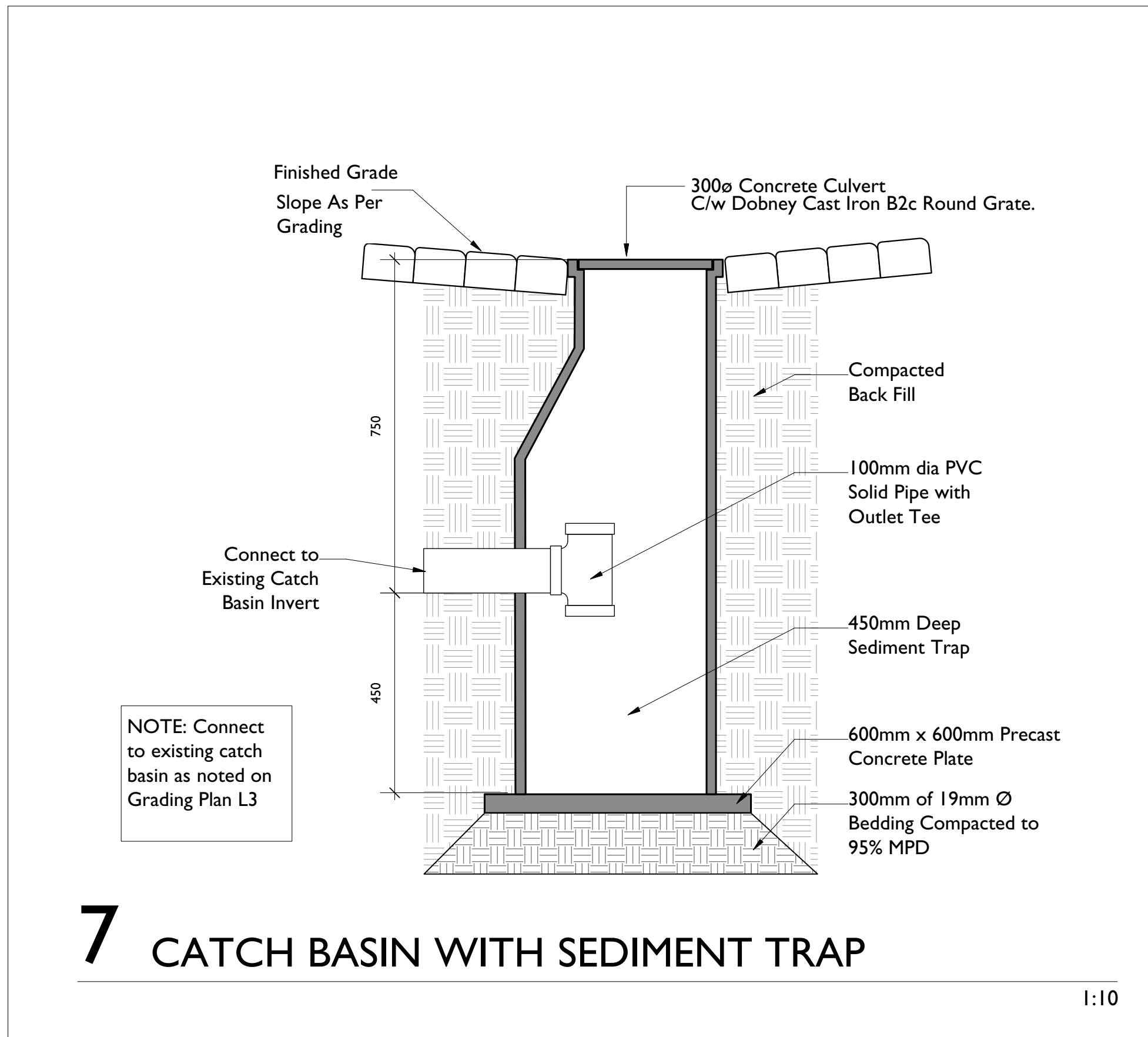
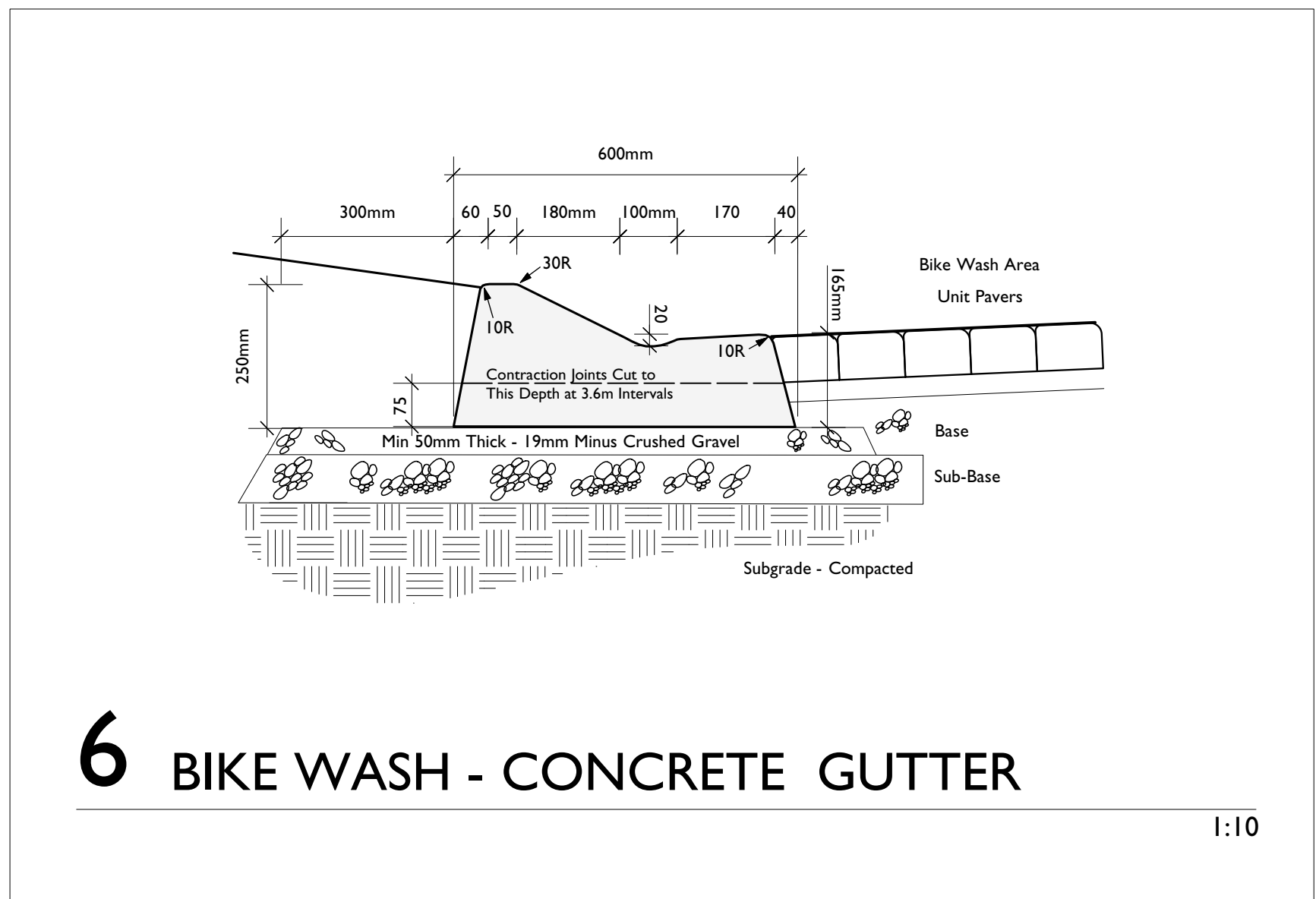
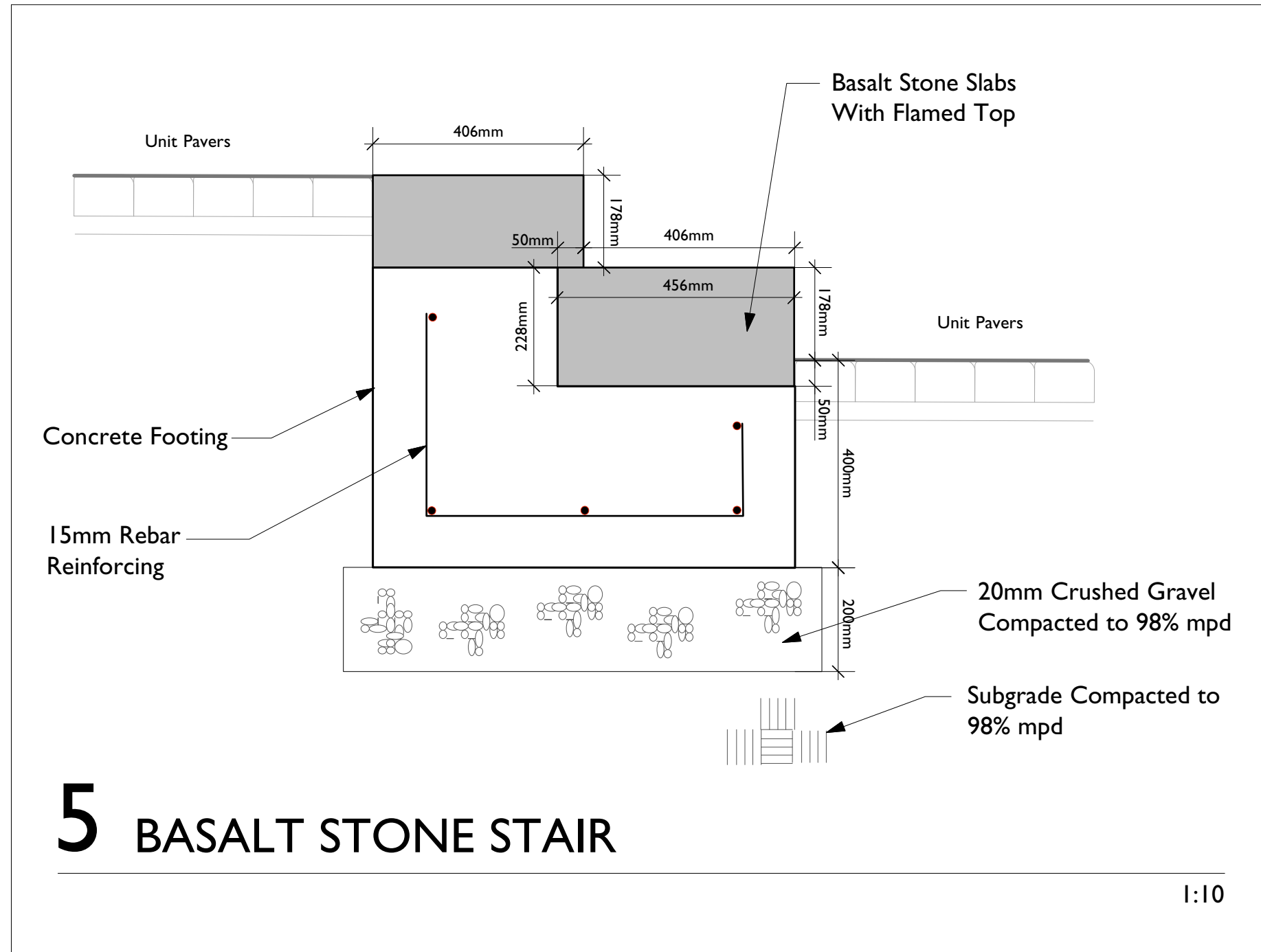
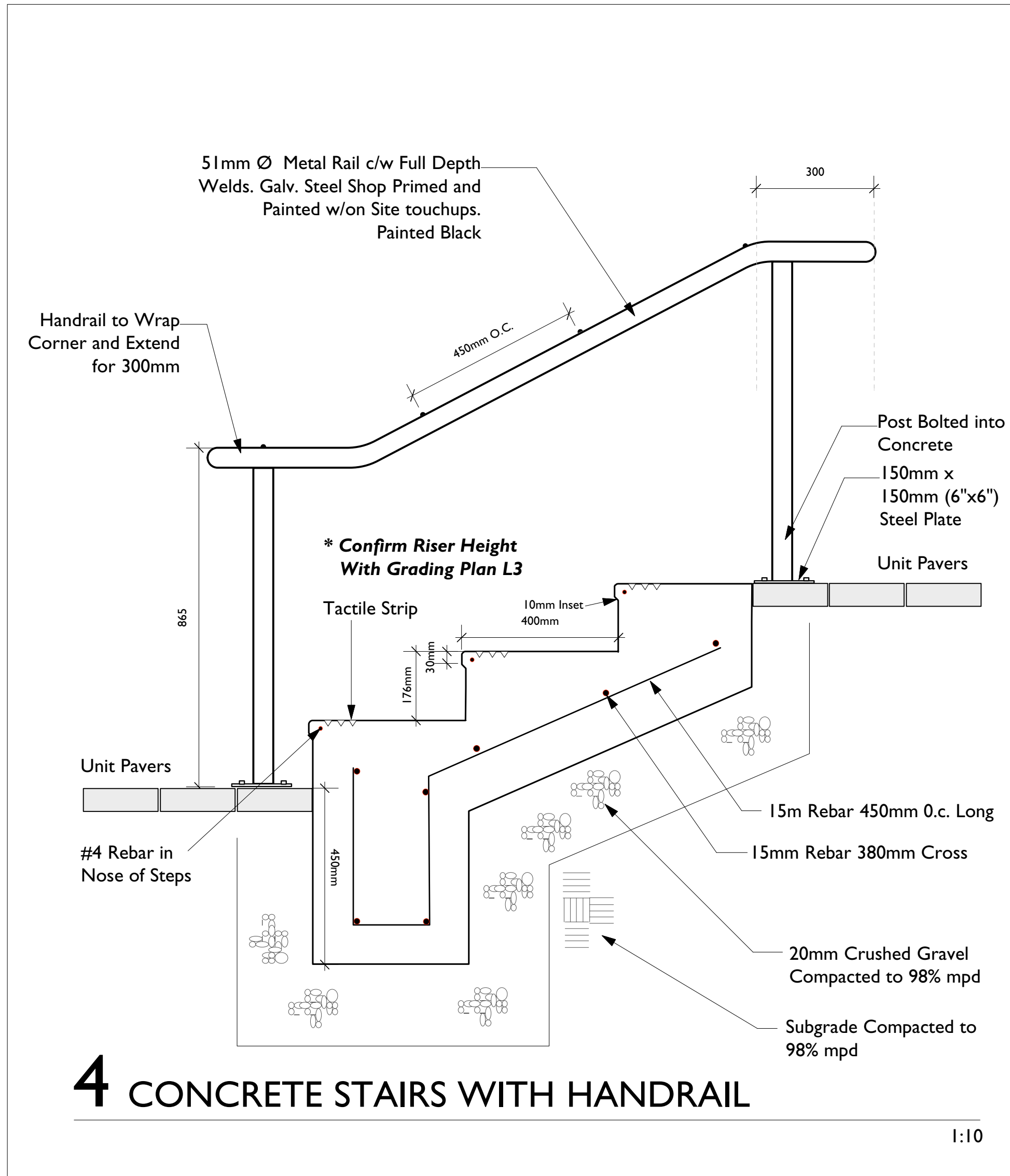
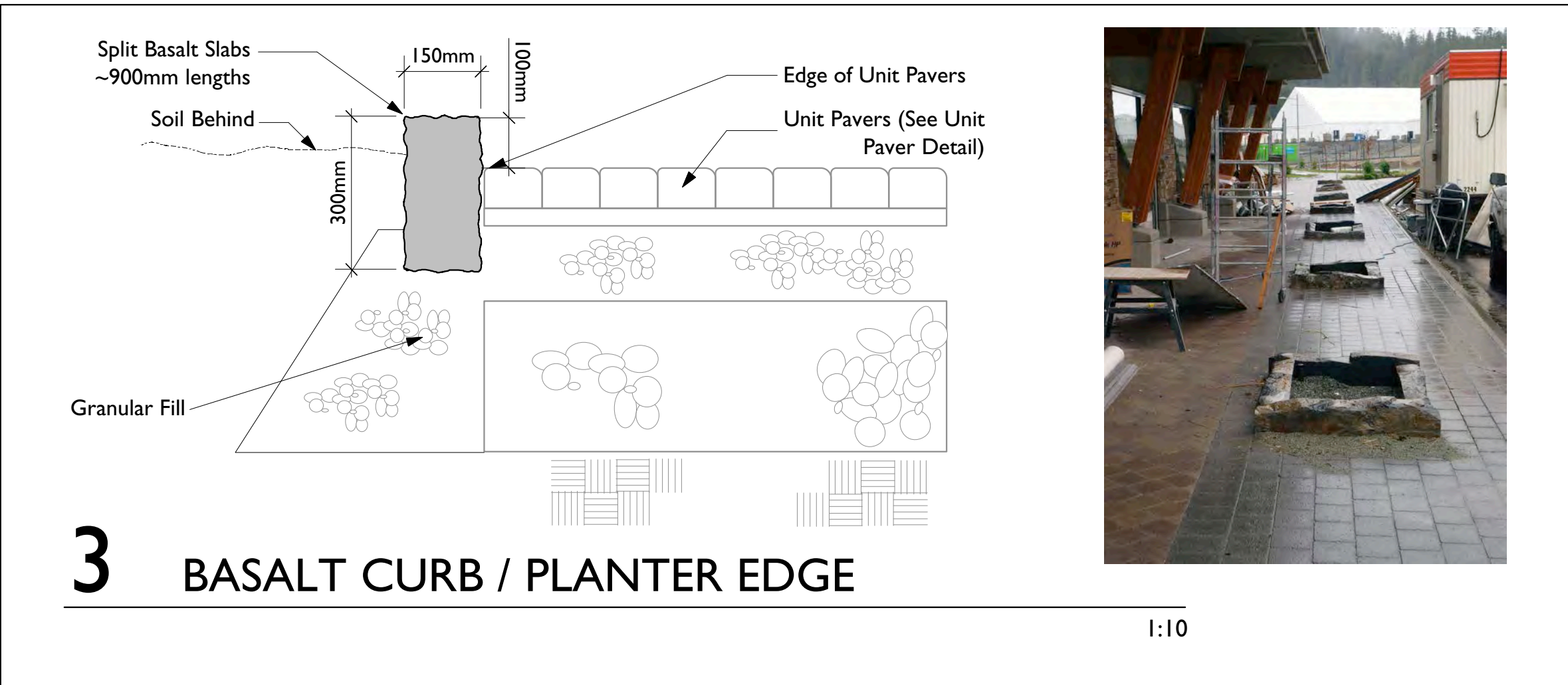
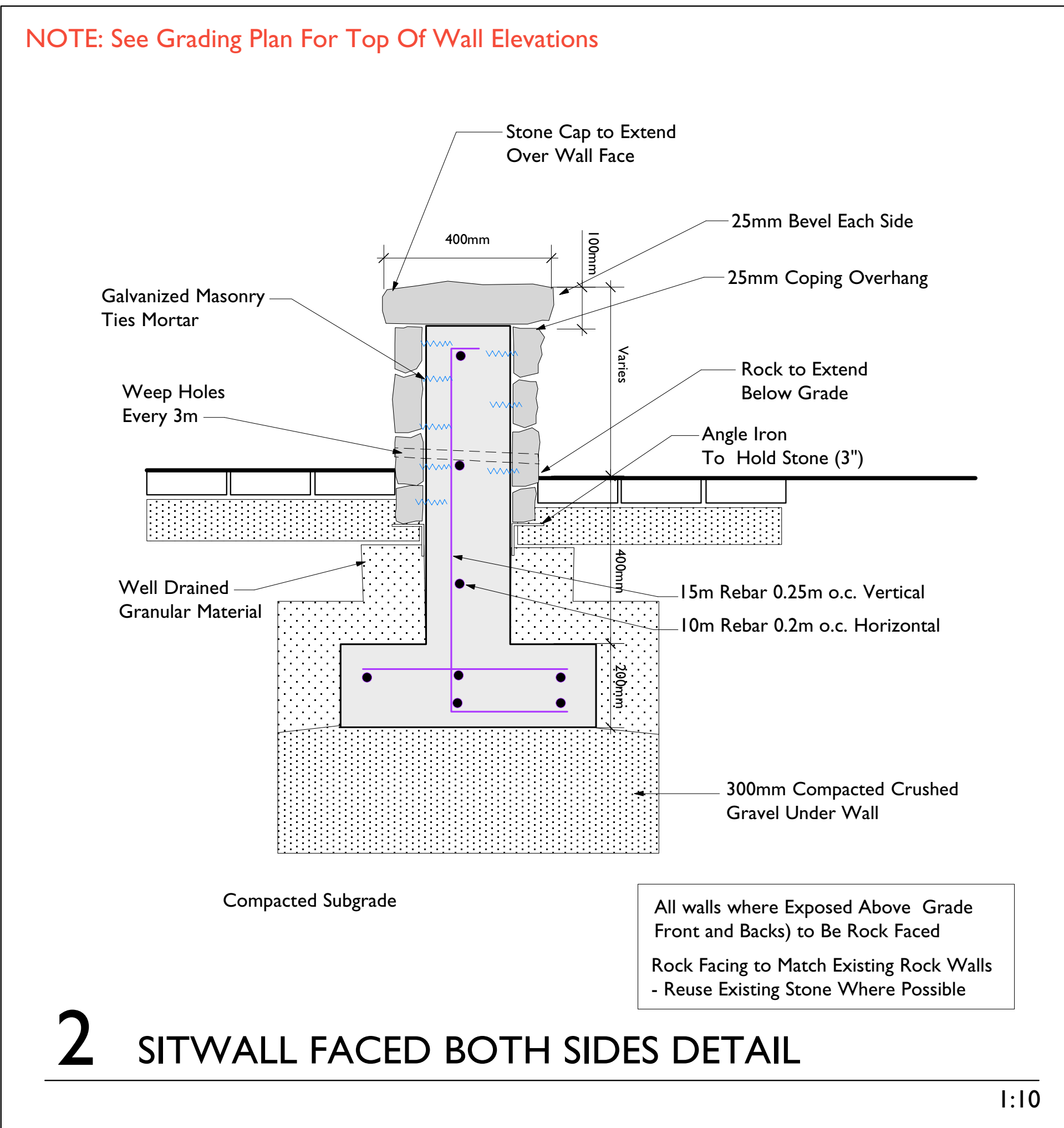
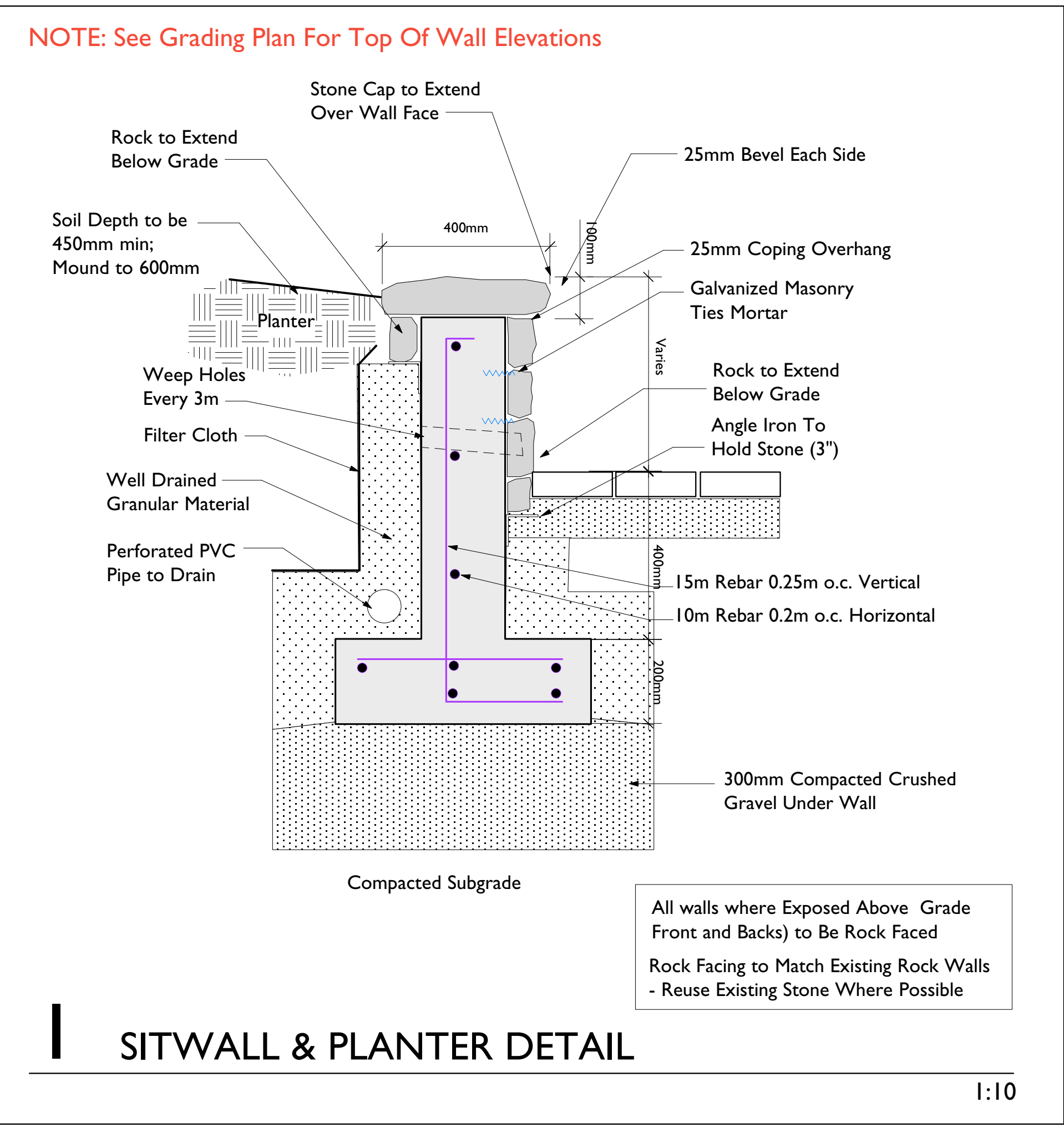
DRAWING TITLE

Planting & Paving Plan

DATE Feb 4 2014 SCALE 1:100
PROJECT # 809 ITEM
REVISION # 5 SHEET **L4**

NOTES:

1. All planting to be installed to landscape BCLNA & BCCLA standard.
2. Automatic irrigation to be installed to IABC standard.



NOTES:
1. All planting to be installed to landscape BCLNA & BCSLA standard.
2. Automatic irrigation to be installed to IABC standard.

Revision: Feb 4 2013 Issue For DPM Comments
Revision: Dec 9 2013 Issue For DP
Revision: Oct 10 2013 Issue For Pricing
Revision: May 1 2013 Planting/Sections/Architecture Coordination
Revision: April 23 2013 Longhorn Site Rock Storage Address
Revision: April 19 2013 Patio & Side Entry Design Adjustments

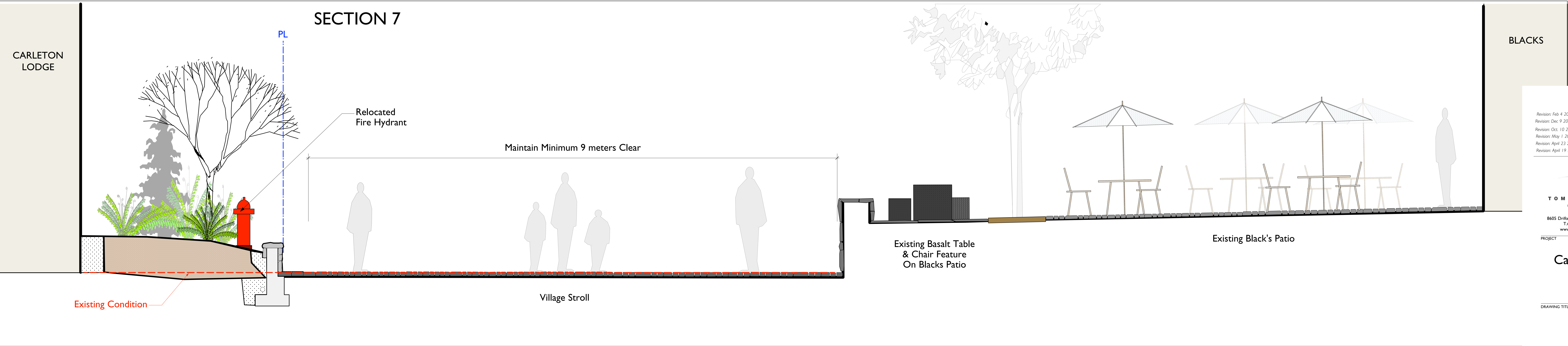
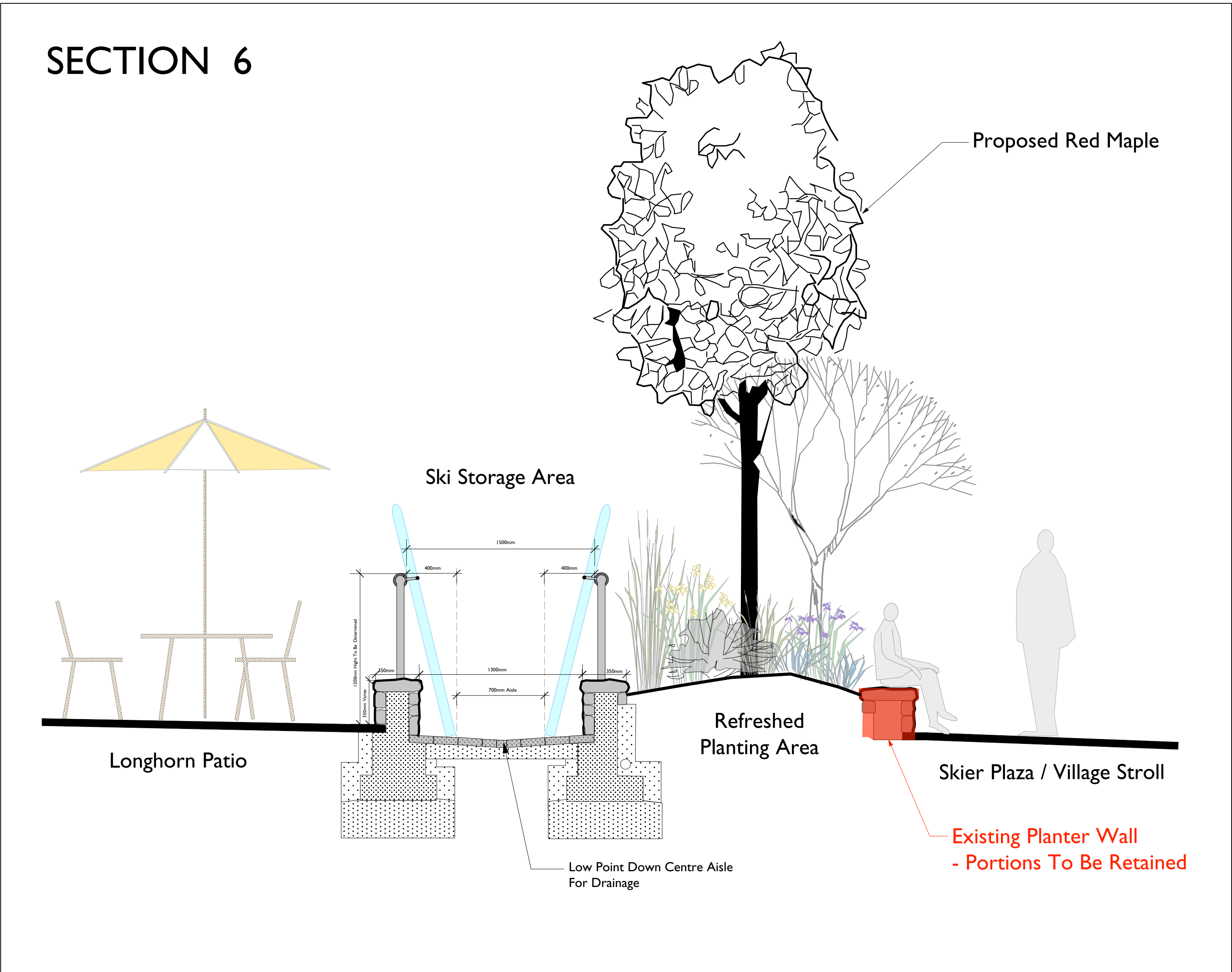
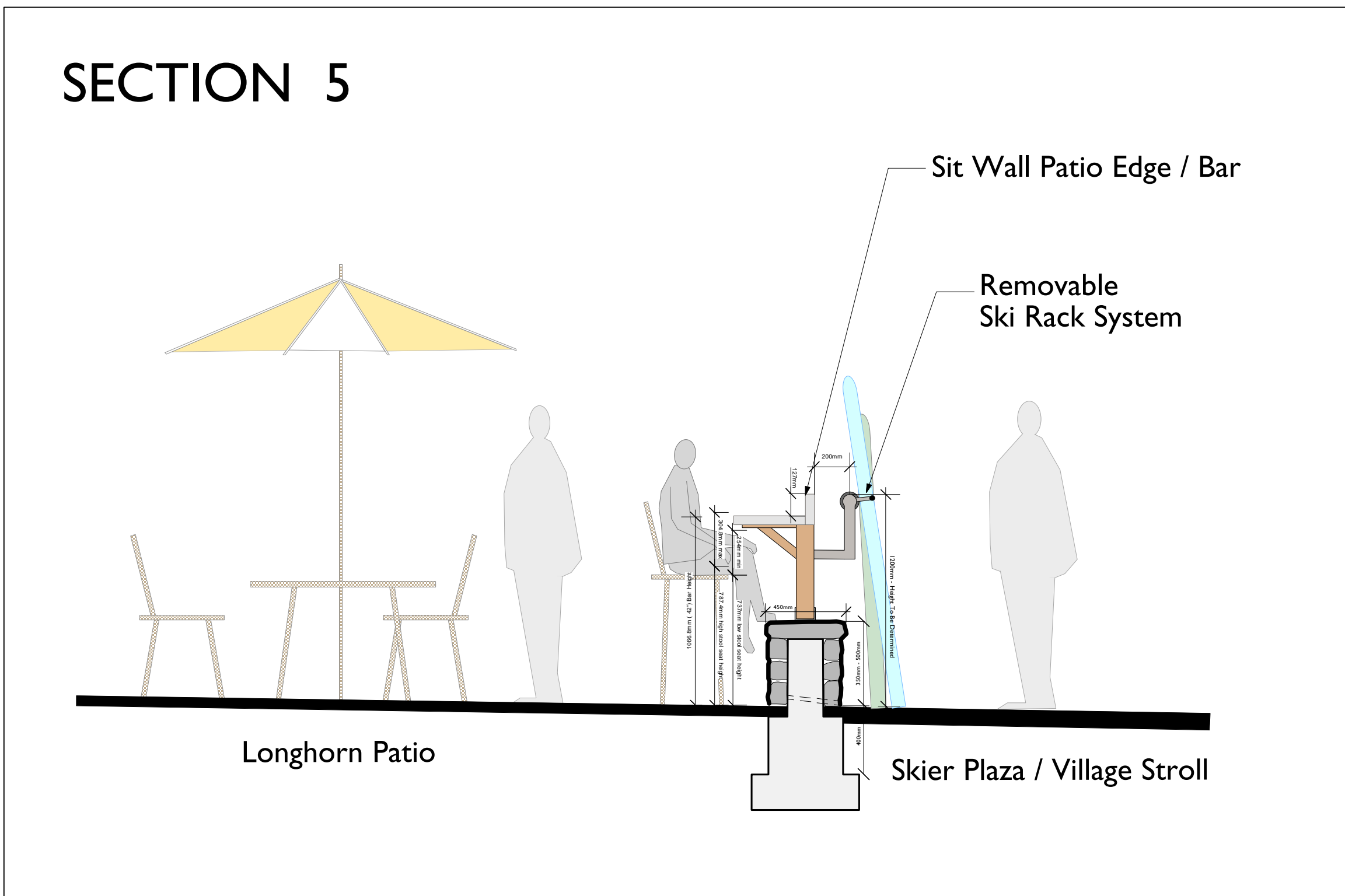
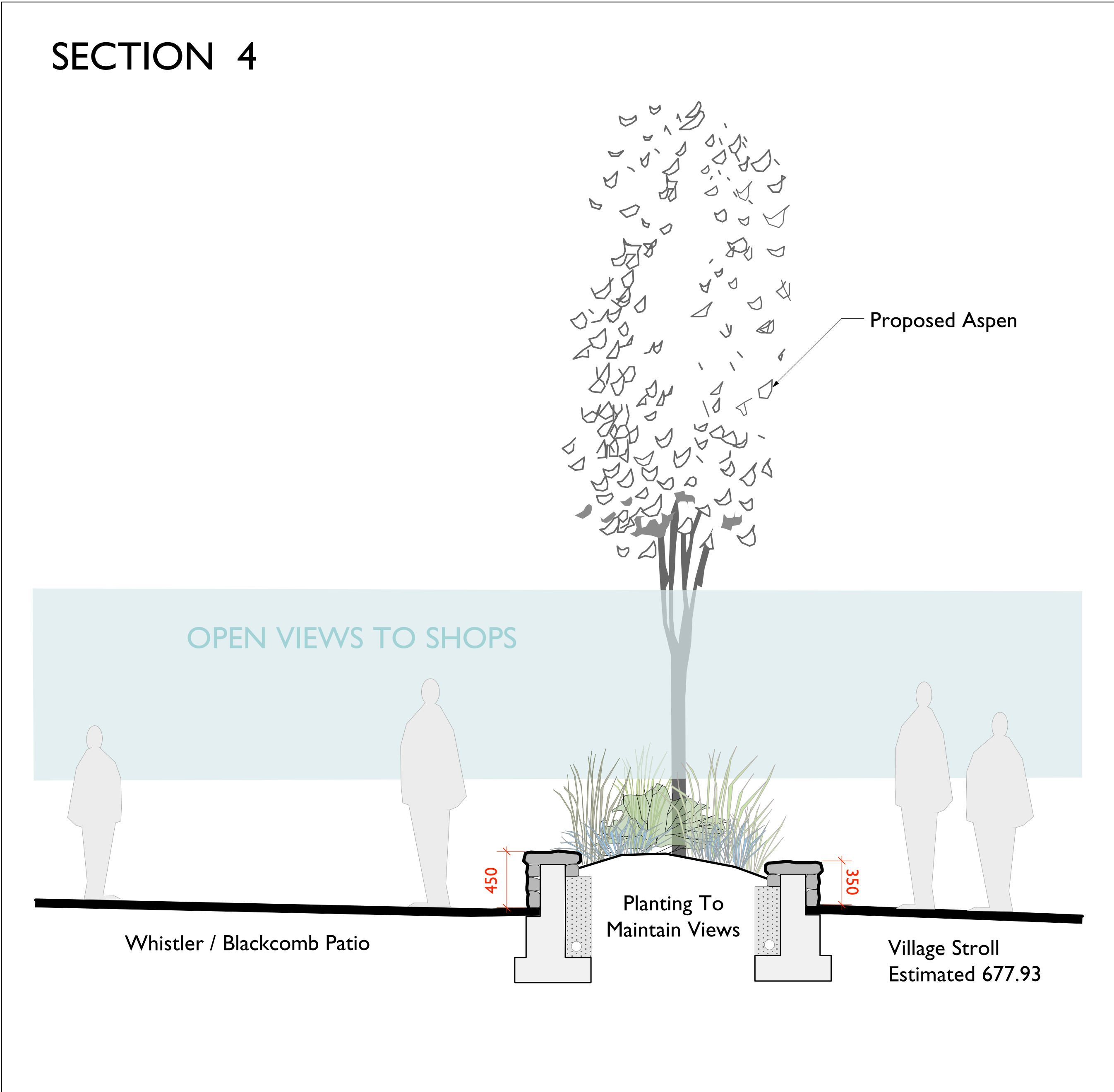
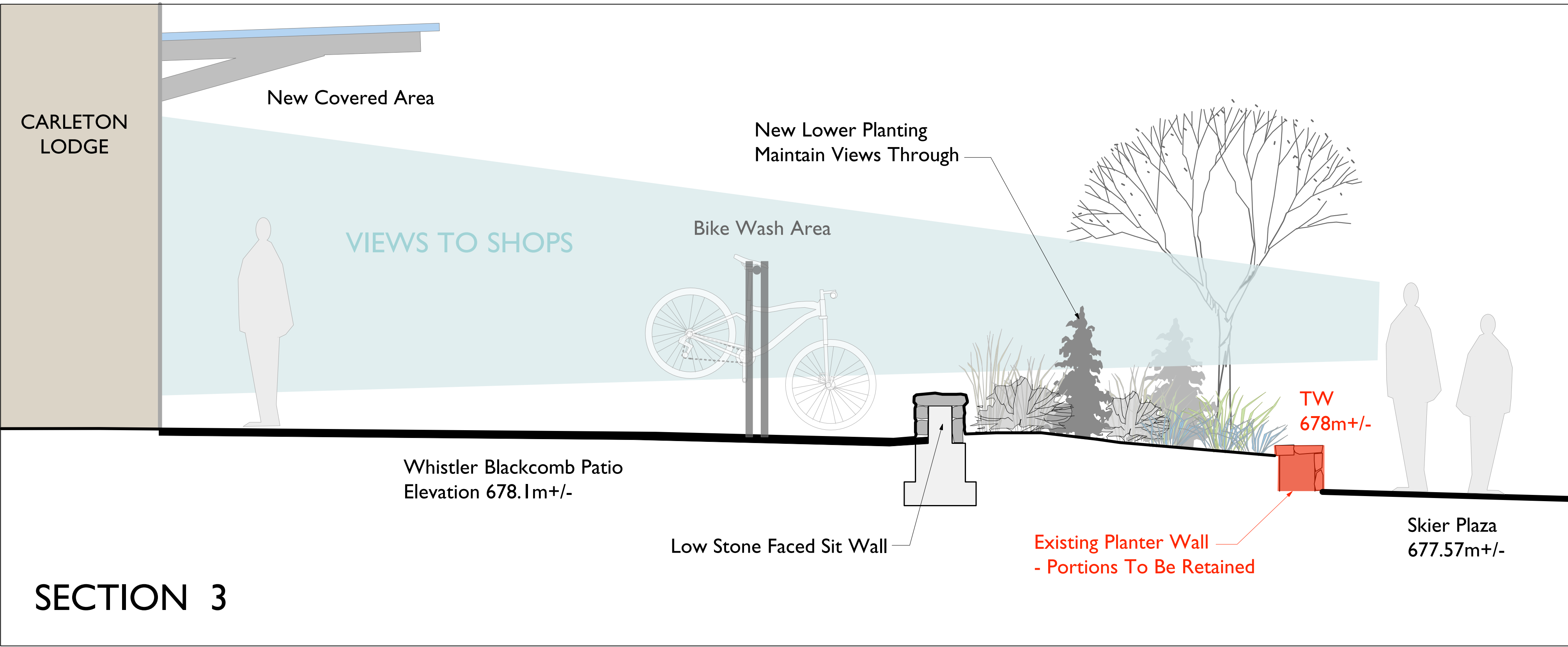
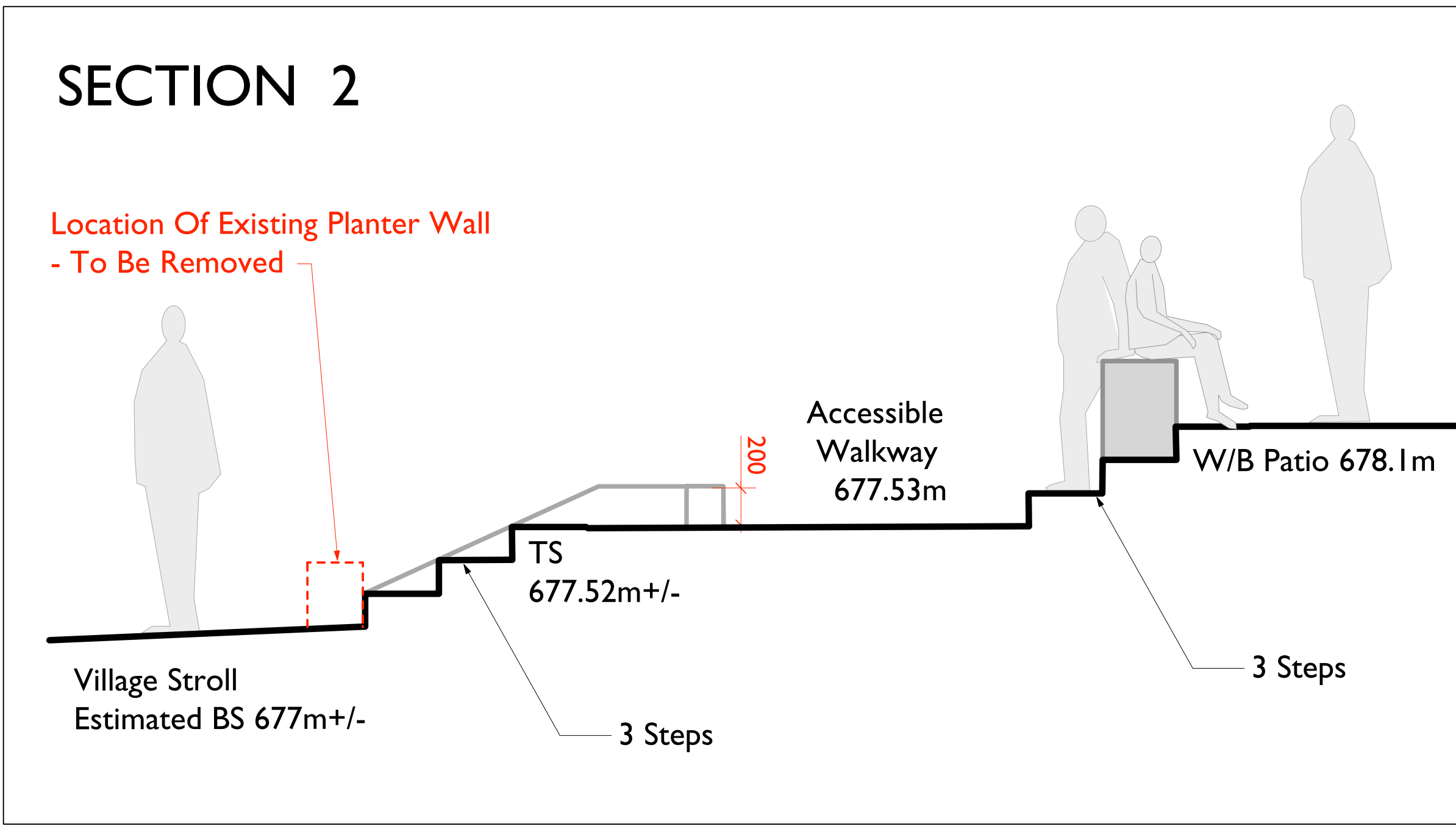
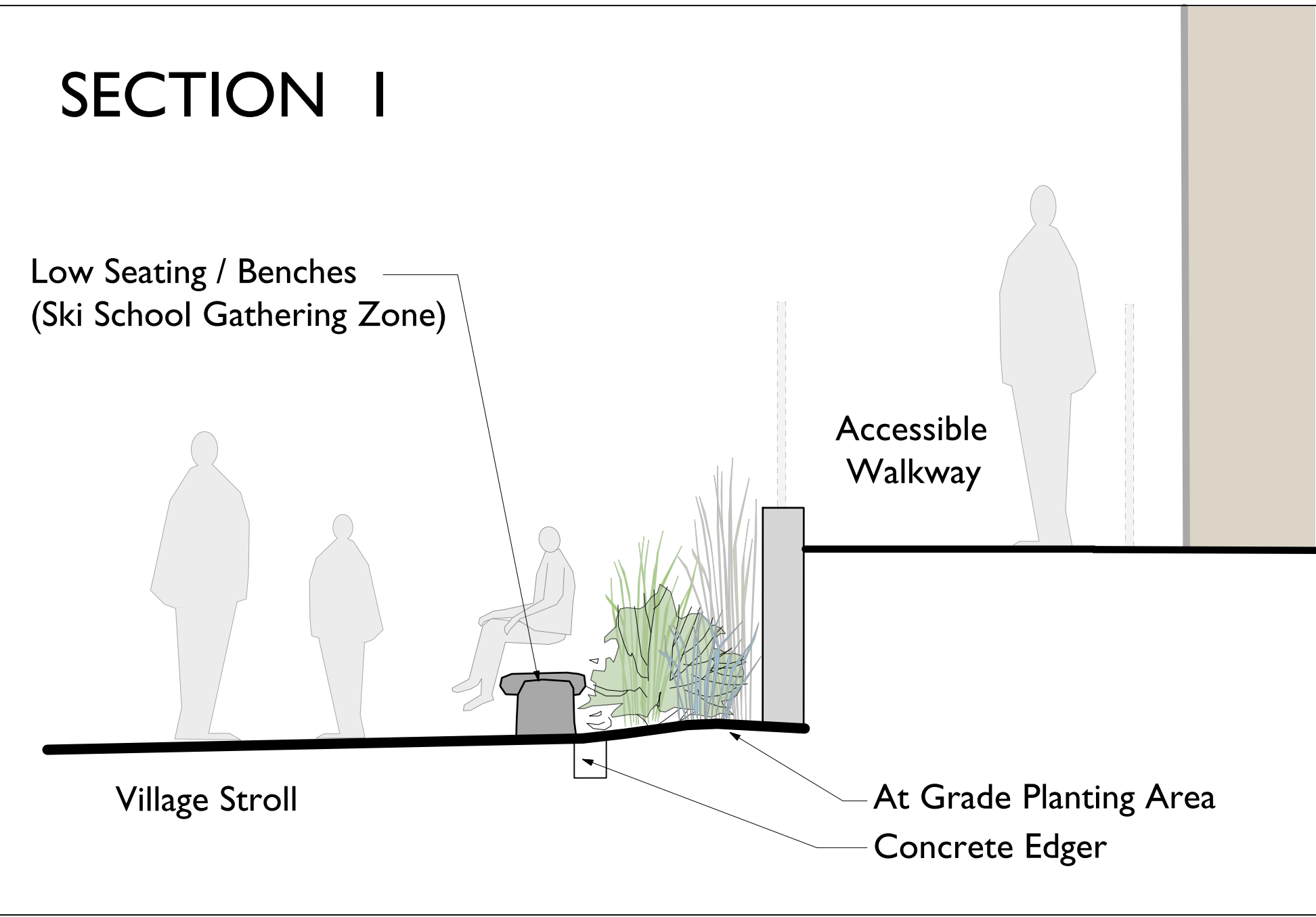
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Carleton Lodge Upgrade

DRAWING TITLE

Details

DATE Feb 4 2014 SCALE
PROJECT # 809 ITEM
REVISION # 5 SHEET **L5**



Revision: Feb 4 2013 Issue For DP/ RNDW Comments
Revision: Dec 9 2013 Issue For DP
Revision: Oct 10 2013 Issue For Pricing
Revision: May 1 2013 Planting/Sections/Architecture Coordination
Revision: April 23 2013 Longhorn Ski Rack Storage Addition
Revision: April 19 2013 Patio & Side Entry Design Adjustments

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PROJECT

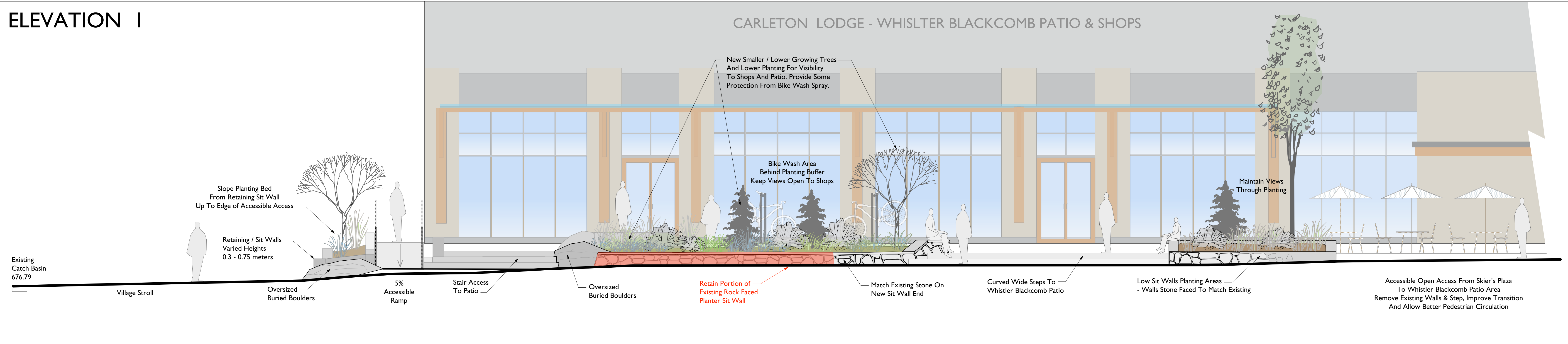
Carleton Lodge Upgrade

DRAWING TITLE

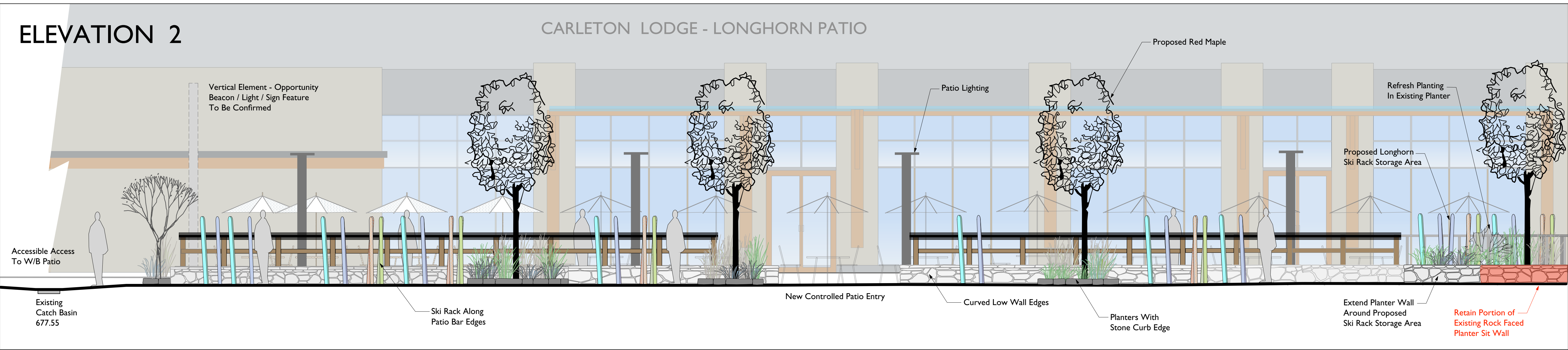
Sections

DATE	Feb 4 2014	SCALE	
PROJECT #	809	ITEM	
REVISION #	5	SHEET	L6

WHISTLER BLACKCOMB PATIO & SHOPS



LONGHORN PATIO



Revision: Feb 4 2013 Issue For DPM RMDW Comments
Revision: Dec 9 2013 Issue For DPM
Revision: Oct 10 2013 Issue For Pricing
Revision: May 1 2013 Planting/Sections/Architecture Coordination
Revision: April 23 2013 Longhorn Ski Rack Storage Addition
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PROJECT
Carleton Lodge Upgrade

DRAWING TITLE
Elevations

DATE	Feb 4 2014	SCALE	
PROJECT #	809	ITEM	
REVISION #	5	SHEET	L7



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
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February 18, 2014

File: DP1275

Mr. Dave Evans, WRM Strata Management
1410 Alpha Lake Road
Whistler, BC V0N 1B1

Re: DP 1275 Carleton Lodge Exterior Renovations

Dear Mr. Evans,

The following provides a list of outstanding items to be reviewed and addressed to the satisfaction of the General Manager of Resort Experience as a condition of development permit approval.

Architecture and Landscape

1. Apply samples of the proposed building colours, as well as some darker shades of yellow options, to the building for review prior to application of colour to facades.
2. Provide a sample of the proposed building stone for review prior to installation.
3. Submit the final window schedule.
4. Provide details of where the drainage from the canopy and kiosk roof downpipes is directed to.
5. Provide an updated comprehensive sign package for the development that takes into consideration the proposed improvements to the building façade and new storefront accesses.
6. Provide CSA compliant handrails to stairs. Ensure adequate handrail extensions and proper rail extension returns. Provide details of ramp surface and handrails.
7. Submit final exterior lighting details.
8. Final review of planting plan and tree planting specifications. Loss of planter on the east side of the building for ski storage is not supported.
9. Cap all planters with granite for consistency.
10. Submit details of the bar/removable ski rack system and the removable bar/patio edge separating the two patios.
11. At the Longhorn secondary egress, reduce the 4.1% patio slope by providing a step and provide a detail of the gate.
12. Confirm ownership of all catch basins being tied into and provide a detail of the connection.

Other

1. Provide written authorization from the Crown for existing and proposed encroachments onto Crown land.



1. Provide sign-off from a professional engineer upon completion of construction confirming no impact to the Mountain Square parkade or parkade membrane during construction implementation of DP1275.
2. Adhere to the Whistler Village Construction Management Strategy including construction site management plan, good neighbor agreement and construction sign posted during construction.

Regards,

Melissa Laidlaw
Senior Planner, Planning

Approval of Agenda

Moved by Pawel Gradowski
Seconded by Dennis Maguire

That the Advisory Design Panel approves the meeting agenda for January 30, 2013.

CARRIED.**Adoption of Minutes**

Moved by Doug Nelson
Seconded by Pawel Gradowski

That the minutes of Advisory Design Panel meeting held on December 19, 2012 be adopted.

CARRIED.**Council Briefs**

Councillor Grills provided a brief overview of the most current topics being discussed by Council: 2013 budget presentation to Committee of the Whole, Council and senior management retreat, Corporate Plan.

PRESENTATIONS

Carleton Lodge
1st Review
File No. DP1275

The applicant team of Bryce Rositch, Rositch Hemphill Architects; Tom Barratt and Laurelin Fondacaro, Tom Barratt Ltd. Landscape Architects; Eric Lofgren, CSA; Dave Evans, Whistler Resort Management; Dick Gibbons, Gibbons Group; Matt Davies, Whistler/Blackcomb entered the meeting.

Melissa Laidlaw, Planner, RMOW introduced the project and the applicants.

Bryce Rositch and Laurelin Fondacaro advised on the following.

1. In 2012 the Carleton Lodge underwent a roof replacement, plus new stairs and planters on its north side in conjunction with the RMOW's Mountain Square waterproofing project.
2. The building desperately needs a makeover - the entire building, building envelope, exterior walls, balcony railings, doors and windows all require replacement.
3. Existing condition - fake columns in the Mountain Square (north) side, they are only architectural treatments; dark breezeway. Entry to residential units above is lost.
4. South side - there is lots going on, it is jumbled, making it difficult to find the patio entrance despite the Longhorn's bright yellow awnings. The Whistler/Blackcomb (WB) patio also requires greater exposure and visibility for retail opportunities.
5. Proposed exterior upgrades: replace the building envelope; add exterior insulation which will thicken the exterior wall by 6" - good green building practice; addition of bay windows; parapets and build out fascias; bright metal awnings.
6. Provide a sense of identity when coming down from the mountain.
7. Replace lower level commercial store front doors and windows with sliding aluminum doors and windows to open up for greater indoor outdoor aspects.
8. Addition of BC Douglas fir glulam timbers and glass canopies at principle entrances with predominance at the Longhorn side.
9. Reconfigure Longhorn and WB patios.
10. New kiosk situated in between Longhorn and WB patio. It will accommodate beverage sales on Longhorn side as well as coffee etc. on WB side.
11. Organic approach on the WB patio side; propose to remove overgrown trees from the planters and replace with lower, slower growing variety to provide more visibility into retail operations.
12. Summer bike wash and bike repair station (currently exists).

13. Open up north side of building, the canopy is about 3.5 ft. higher than the existing. Use of various sized glulam timbers.
14. Replace lighting and flooring with flagstone pavers.
15. Change the solid stucco walls on the sides of the breezeway to open glazing, there are no impacts to CRU footprints. WB will use this as a ski valet service.
16. Canopies over breezeway side entrances break up flatness of the façade and also to identify a principle entrance to the building.
17. Proposed colours are lively and have lots of energy but not garish, try to break up flatness of the façade, appropriate to the setting.
18. Signage plan to be finalized.
19. Landscaping focused on improved access, accessibility into and out from the building, and the visibility of the building.
20. Upgrade overall lighting with wall lights, stair lighting.
21. Overall paving patterns more organic.
22. Retain some of the existing planter walls.
23. Add seating/benches on the west side of building for public and ski school use. Incorporate ski, snowboard graphics and art to animate and enhance this area.
24. Ski racks integrated into the Longhorn patio wall.

Moved by
Seconded by

That the Advisory Design Panel generally supports the project with the provision that the applicant work with Staff to resolve the outstanding issues. Panel does not need to see this project return for further review. Panel offers the following comments.

Site Context and Landscaping

1. Panel supports the improved access and circulation.
2. Panel had some concerns with the increased patio size on the southeast side.
3. Panel recommends consideration of summer shading for the patios with either trees or furniture/umbrellas; this will also provide scale to the building above.
4. Panel recommends further exploration of the bike wash with respect to storm water management and the need for a clean out system for debris and sediment to minimize future problems.
5. Explore more activation/animation of the north side breezeway.
6. Panel recognizes this is not in the scope of this renovation but encourages the applicant to explore upgrades to the internal stairs that lead down to the washrooms.

Form and Character

1. Panel supports the sinuous curves of the edge conditions vs. the existing straight wall condition.
2. Addition of kids ski school seating area is an asset to the west walkway.

Materials, Colours and Details

1. Panel generally supports the proposed building colours, materials, new window systems and unified door systems, finishing and details.
2. Further detailing of the metal canopies is needed; how will weather streaking be prevented?
3. Further resolution of the lower building details is needed to address snow management; rain and snow melt dripping from awnings.
4. Panel recommends additional lighting at the north side breezeway and

landscaped spaces to improve aesthetics and animation.

5. Panel felt further resolution of sports equipment management is needed at all building entries. A creative design and integration of the bike and ski railing/rack/storage at the patios would really enhance the site. A concern was noted that patrons will look directly into the equipment.
6. The glulam timbers and glass canopies are a great addition and improvement. Consider weather protection for the glulam timbers.
7. Further exploration is needed on the proposed details for the east and west bay windows.

CARRIED.

The applicant team left the meeting.

**Audain Art Museum
 1st Review
 File No. RZ1066
 Work shop Session**

The applicant team of John Patkau, Chris Phillips, Hugh Ker, Jim Moodie, Eric Martin, David Shane, Patkau Architects; Tom Barratt and Laurelin Fondacaro, Tom Barratt Ltd. Landscape Architects; entered the meeting.

Jan Jansen, General Manager of Resort Experience and Mike Kirkegaard, Manager of Planning, RMOW entered the meeting

Melissa Laidlaw, Planner, RMOW introduced the project. Staff seeks Panel feedback for site planning, landscape concept, circulation, access, architectural form and character and massing.

John Patkau and Chris Phillips advised on the following.

1. The proposed site is situated along Blackcomb Way south of day parking lot 4, the RMOW's current Village Operations building/shop.
2. The site combines the Village and wilderness - take advantage of this special opportunity.
3. Building size 39,000 ft² with 13,000 ft² of actual exhibition space; compared to the Vancouver Art Gallery which has 40,000 ft² of exhibition space.
4. This is a significant institution with a remarkable collection.
5. Site planning approach: connectivity and links with Whistler Village, museum, library, Whistler Olympic Plaza, and Squamish Lil'wat Cultural Centre as well as linking pedestrian trail systems from pedestrian stroll to Lost Lake trails.
6. Intention to create an open and public space, surrounded by forest, part of a larger landscape.
7. Overall site planning strategy – a building in a clearing in the forest.
8. Protect and enhance the existing forest condition with minimal tree removal.
9. The site is in a flood plain; training berm along Blackcomb Way. The building is elevated because of this condition.
10. Building orientation is coincidental to the flow of water – minimal obstruction.
11. Drop off and elevated bridge/ramp access to building from Blackcomb Way.
12. Alternate path for bikes and strollers on the south portion of the site at grade.
13. Bike parking and storage below the elevated building.
14. Sculpture garden and meadows below the building; concrete pathways, river cobble that emulates the Fitzsimmons creek bed. The sculpture garden will be developed over time.
15. Road connector between day parking lots 3 and 4 will be closed except for fire access and during certain event periods. The road will be screened with planting.
16. Site servicing to be located discreetly at the north side of the site; access from parking lot 4. The most significant use will be in the shoulder seasons (spring and fall) when large semi trailers arrive with new shows. Other vehicles - garbage and recycling.
17. Indigenous landscape, recreate the under story, reinforce current forest



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014

REPORT: 14-013

FROM: Resort Experience

FILE: RZ 1077

SUBJECT: RZ 1077 - Gross Floor Area Exclusion Regulations

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Appendix ‘A’ – April 3, 2012 Council Report No. 12-038

Appendix ‘B’ – October 1, 2013 Council Report No. 13-091

PURPOSE OF REPORT

This report updates Council on issues arising from changes to the municipality’s zoning bylaw adopted May 15, 2012 seeking to address non-conforming spaces issues. This report further recommends that Council instruct staff to take steps to amend said changes in order to tighten the Gross Floor Area Exclusion regulations in Part 5 of Zoning & Parking Bylaw 303, 1983.

For clarity, staff note that these regulations are applicable to detached and duplex dwellings only; larger forms of development remain unaffected.

DISCUSSION

Background

On May 15, 2012 Council adopted Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 which incorporated changes to the definitions of, gross floor area (GFA), crawl spaces and void spaces resulting from the work of the Council-appointed Illegal Space Task Force (ISTF). This bylaw was proposed as a significant first step towards addressing issues related to existing floor area constructed and occupied in residential buildings without permits and contrary to maximum permitted densities..

Construction and use of non-permitted basement areas in single family and duplex dwellings were identified by the ISTF as the most common situation and priority to address. The creation of these spaces is a natural result of developing on the sloping terrain typical to many of Whistler’s residential parcels. The bylaw sought to address such “basement” areas by excluding them from the calculation of gross floor area and thereby eliminating the cost and time for individual rezoning applications for amending the density for each potential residential building. Prior to adoption of this bylaw, the RMOW Building Department required the owners of such dwellings to execute

Covenants under Section 215 of the *Land Title Act* agreeing that the non-conforming space would not be occupied.

The April 3, 2012 Council Report (attached here as Appendix 'A') recognized specific uncertainties with regard to adopting Bylaw 1992 as follows:

1. How effective the zoning amendment would be in encouraging property owners with existing non-permitted spaces to bring their property into compliance,
2. Potential impacts of the proposed changes on the community in general with regards to energy consumption and built form and design characteristics
3. The impact on RMOW infrastructure capacity.

Therefore, it was recommended that the zoning changes be subject to a two year trial period within which monitoring would be conducted and reported back to Council. To that end, staff presented a monitoring report regarding this issue at the October 1st, 2013 Council meeting. That report is attached here as Appendix 'B'.

This current report primarily considers impacts on built form and neighbourhood character.

Current Situation

As previously noted, the regulations in question apply only to detached and duplex dwellings, all further discussion is applicable to these built forms only. Since the changes were implemented, the RMOW has received:

- 67 Building Permit Applications,
- 20 Covenant Modification Applications, and
- One Rezoning Application

associated with Excluded Floor Area.

The Gross Floor Area Exclusion regulations for detached and duplex buildings can be found in Section 5.25.1 of the General Regulations of Zoning and Parking Bylaw 303, 1983. This rule, as introduced by way of Bylaw 1992 allows the following spaces to be excluded from the calculation of gross floor area for detached and duplex buildings:

- a) Basement floor area having an elevation at least one metre below the average level of finished ground adjoining the exterior walls of a building, to a maximum of 125% of the floor area of the storey immediately above;
- b) Crawlspace;
- c) Void spaces;
- d) Parking areas;
- e) Elevators;
- f) Areas occupied by fixed machinery and equipment; and

- g) Exterior wall thickness in excess of 6" (152 mm).

Having worked with the modified regulations for nearly two years, Municipal Staff have identified certain issues associated with the application of the Excluded Floor Area rules as follows:

1. Stacking excluded space below other excluded spaces. *ie:* mechanical spaces or sub-basements developed below excluded areas such as garages or basements.
2. The cumulative effect of multiple excluded spaces within a given building. Currently basements, crawl spaces, void spaces, parking areas, and mechanical spaces can all be excluded, leading to the potential for considerable massing on the site.
3. Manipulation/ raising of existing grade to achieve the requirement. This can result in the new home not fitting into the existing streetscape.

Any of the above-noted scenarios has the potential to result in inappropriate development of the site. Therefore, per the monitoring requirement set out by Council, staff consider that these regulations/ exclusions should be revisited.

Proposed Direction

Staff have developed several potential concepts including, but not necessarily limited to:

- Putting an overall limiter on the total excluded area allowed on a parcel.
- Having a closer look at the potential impacts of developing excluded spaces below other excluded spaces.
- Tying new construction to a topographical survey of the existing site contours, to ensure that excluded basement spaces go down into the ground, rather than the ground being raised to create a space that qualifies for exclusion.
- Requiring a minimum percentage of buried wall area in addition to the current 1.0 metre below adjacent ground level requirement. Staff consider this to be a "belt and suspenders" approach; meaning that a given space would have to pass two tests to qualify for exclusion, rather than just one.
- Exploring the possibility of creating a 'weighted average' calculation for the existing ground elevation for a given development parcel. This would be similar to the weighted average roof height calculation that has been successfully used for many years.
- Staff intend to maintain the changes in Section 5, in order to minimize the ripple effect of making changes to definitions of certain terms.

Connection to Retaining Wall Regulations

As Council is aware, staff have been working on revisions to the General Regulations of the Zoning Bylaw as they apply to retaining wall systems on private parcels. Historically, the RMOW's Zoning Bylaw had been silent on the issue of retaining walls, both in terms of size and location. This led to some circumstances where, for varying reasons, property owners built high retaining walls that dwarfed neighbouring parcels.

On October 5th, 2010, Council adopted, “Resort Municipality of Whistler Zoning Amendment Bylaw (Miscellaneous Amendments) No. 1898, 2009”. This bylaw inserted the term “retaining walls” into Part 5.7.1 (d) of the General Regulations of the Zoning Bylaw. As a result retaining walls are only allowed in setback areas under certain conditions, as shown:

- Must not exceed 0.6 m in height;
- Must be set back 1.0 m from any side parcel line, and 2.0 m from any front or rear parcel line.

Staff are considering revisiting this section to be slightly more permissive, to allow slightly higher walls closer to (or possibly at) property lines, in order to reduce the number of Variance Permit applications. It is imperative that these two sets of regulations work in harmony to ensure that:

1. Legitimate construction is not compromised by overly restrictive retaining wall regulations;
2. Any relaxation to the retaining wall regulations is balanced by tighter basement Gross Floor Area exclusion requirements to ensure that new buildings continue to fit with the overall form and character of a given neighbourhood.

WHISTLER 2020 ANALYSIS

Whistler 2020 is the municipality’s long term strategic plan for the community’s future. The plan describes what Whistler aspires to be in the year 2020: the values, sustainability principles, vision, priorities, and directions that define success and sustainability for the resort community. Specific policies identified in the plan that are pertinent to this Zoning Bylaw Amendment are listed below:

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

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

BUDGET CONSIDERATIONS

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

COMMUNITY ENGAGEMENT AND CONSULTATION

The *Local Government Act* requires that Zoning Bylaw amendments be reviewed at a Public Hearing.

SUMMARY

This report introduces Council to issues associated with the changes to the Gross Floor Area exclusion regulations brought about by “Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012” and requests Council’s consideration to authorize text amendments to Whistler’s Zoning Bylaw to amend these regulations.

Respectfully submitted,

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



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 3, 2012

REPORT: 12-038

FROM: Resort Experience

FILE: RZ1044

SUBJECT: Gross Floor Area Exclusion – Zoning Text Amendments

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council give first and second reading to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012; and

That Council authorize the Corporate Officer to schedule a public hearing regarding to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 and to advertise for the same in a local newspaper; and further

That the effects of Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992 on the resort community and the illegal space issue be monitored and reviewed after a two year trial period as described in this report.

REFERENCES

Appendix “A” – Zoning Bylaw Amendment Bylaw No 1992, 2012

Appendix “B” – Illustrations of proposed Gross Floor Area exclusion area

Appendix “C” – Summary of Public Input Comments received up to March 5, 2012

Appendix “D” - Summary of Public Input Comments received March 6 – 24, 2012

Appendix “E” - Draft Building Permit Application Form

PURPOSE OF REPORT

This report presents a zoning amendment bylaw that proposes changes to the definitions of gross floor area, crawl spaces and void spaces resulting from the work of the Council-appointed Illegal Space Task Force. The bylaw, Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012, is presented for Council consideration of first and second reading and scheduling of a public hearing. A copy of the bylaw is provided in Appendix “A”. In summary the bylaw proposes to:

1. Permit basement floor areas to be excluded from the calculation of gross floor area for all detached and duplex dwelling buildings within the municipality. The basement floor area is to be a minimum of one metre below the average level of the finished ground of the exterior walls of the building, and the maximum area that may be excluded is 125% of the floor area of the storey immediately above.

2. Remove the ability to construct over height crawls spaces and void spaces and have them excluded from the calculation of gross floor area by registering a covenant prohibiting the use of such areas for any purpose. Such areas are provided for through the proposed basement floor area exclusion.
3. Permit a gross floor area exclusion for exterior walls that are thicker than 6" (152 mm) in support of energy efficiency and conservation.

DISCUSSION

The zoning amendment bylaw presented for Council consideration is proposed as a significant step towards addressing issues related to floor area constructed and occupied in residential buildings without permits and contrary to existing maximum permitted densities. The changes within the proposed bylaw seek to address such areas located within "basements" as defined within the bylaw, by excluding them from the calculation of gross floor area. Construction and use of non-permitted basement areas in single family and duplex dwellings has been identified by the ISTF as the most common situation and priority to address.

To provide fairness and equity, the basement exclusion is proposed to apply to all single family and duplex dwellings within the municipality, not just those dwellings that have currently non-permitted basement floor areas. Excluding basement areas from the calculation of gross floor area will enable potentially significant additional space for the benefit of all single family and duplex dwelling property owners.

As there is uncertainty as to how effective the proposed zoning amendment will be in having the owners of existing non-permitted spaces bring their property into compliance, as well as the potential impacts of the proposed changes on the community in general, it is recommended that the proposed zoning changes be subject to a two year trial period as described later in this report.

Background

On December 21, 2011, Council established a Task Force with a Terms of Reference to develop solutions to address issues related to the construction of non-permitted space throughout the municipality, and a time schedule that reflected this as a priority project for the municipality. The Task Force is comprised of four members of the Canadian Home Builders Association (CHBA) (to be appointed by the CHBA), three members of staff (Fire Chief, Manager of Building Department, and Planner) and a member of Council. The details of the Terms of Reference are in Administrative Report to Council No. 11-131.

On January 5 and 19, 2012, the Task Force met and began drafting a zoning bylaw amendment approach to address these spaces. The approach established was to focus on over height crawl spaces and void spaces and to enable such spaces to be legitimized by amending the zoning bylaw to provide a gross floor area exclusion for in-ground basements. It was also identified that this pertained primarily to single family and duplex dwellings.

Subsequently, consideration was given to which properties this exclusion should be applied. This was discussed at the January 26, 2012 Task Force meeting where two basic options were discussed. One was to broadly apply this exclusion across multiple single family and duplex zones (RS and RT zones) and the other was to provide the exclusion to specific properties targeting properties with existing non-permitted space through an "omnibus" zoning amendment. The two options were presented in detail for Council consideration on February 7, 2012 in Administrative

Report to Council No. 12-009. At this meeting Council supported proceeding with a broadly applicable floor area exclusion and to bring this approach forward for public input. Council also supported the direction for establishing this as a pilot project to be monitored and reviewed after a two year period.

On February 16, 2012 the Task Force met to establish the public input process and further discuss the zones to which the floor area exclusion would be applied. It was identified that additional zones should be considered beyond the RS and RT zones, to effectively capture all zones and properties with single family and duplex dwelling building types.

On March 2, 2012, a Public Open House was held at Millennium Place to present and obtain feedback on the proposed changes to the residential regulations. Approximately 100 people attended the Open House with the majority of the attendees being builders, contractors, designers, developers, real estate representatives and a few individual property owners and Strata Council representatives. Approximately 30 written comment sheets were submitted at the Open House and an additional 11 comment sheets were completed on-line by March 6th, 2012. The majority of the comments were supportive of the concept to exclude an in ground basement area from the GFA. A number of attendees and written submissions requested that the GFA exclusion be applied to all zones and not just the proposed RS and RT zones. In addition, comments were submitted on line up until March 6, 2012 to be summarized for the Task Force meeting on March 8, 2012. These comments have been compiled by each question on the comment sheet for Council's information and attached as Appendix C.

At the March 8, 2012 Task Force meeting, based on the feedback received, the committee further discussed the applicability of the floor area exclusion and to apply the exclusion to all single family and duplex dwelling building types, as opposed to specific zones. The municipal lawyer reviewed this approach and advised it was workable. However, the municipal lawyer advised it would increase the importance of considering the implications for all permutations of "detached dwelling" and "duplex dwelling" that there might be in the municipality. Whether these new rules for detached dwellings and duplex dwellings will be applicable to buildings on Land Use Contract (LUC) properties will depend on the wording of the individual LUCs or would require a discharge of the LUC and zoning of the properties. Staff advised the Task Force a report to Council would be prepared to present this approach and obtain Council direction.

On March 20, 2012, Administrative Report to Council No. 12-028 outlined the blanket aspect of the zoning bylaw amendment would be based on built form rather than by specific zones. Council endorsed the approach for the blanket zoning bylaw amendment being based on built form for all single family detached dwelling and duplex dwelling types.

Additional comments were submitted between March 5th and 23rd, 2012. These comments are attached as Appendix D for Council's information. Some comments supported the approach and some comments raised concerns specifically referencing housing affordability, energy consumption and the municipal emission reduction goals.

ZONING BYLAW AMENDMENT MODIFICATIONS

This section of the report outlines the changes to Zoning Bylaw No. 303 as proposed in Zoning Amendment Bylaw No. 1992, 2012 (Appendix A):

Gross Floor Area – Exclusion of basement floor area in Detached and Duplex dwelling buildings

Bylaw No. 1992, 2012 proposes a GFA exclusion for an in-basement floor area as defined in Appendix A and shown in example illustrations in Appendix B. The blanket amendment would apply to all detached dwelling and duplex dwelling buildings throughout the municipality, and specifically excludes a basement floor area “having an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building, to a maximum of 125% of the floor area of the storey immediately above”. This definition permits more of the ‘in-ground’ basement storey to be above grade than in most municipalities which exclude GFA for in-ground basements, but responds to the sloped topography and the existing over height crawl spaces and walk-in basements typical in many RMOW neighbourhoods.

This amendment is intended to provide an incentive for property owners to apply to legitimize illegal spaces, improve the safety of these spaces, and increase clarity of the permitted use of such spaces across the community.

In addition, these changes and the resulting streamlining of the process to legitimize such space are expected to support the local building industry and property owners as they become familiar with the proposed change in regulations.

Crawl Space and Void Space Definitions – Elimination of covenanted over height spaces

Bylaw No. 1992, 2012 proposes amendments to the definitions of Crawl Space and Void Space to eliminate the option for covenanting over-height crawl spaces and void spaces. In the past many owners have incorrectly viewed a covenanted over height crawlspace or void space as an area to develop and occupy. The proposed basement floor area exclusion would enable such spaces to be legally occupied subject to building permit requirements. Any crawl spaces and void spaces that may be proposed in addition to the basement gross floor area exclusion would be subject to a maximum height of 1.5 metres.

Gross Floor Area – Exclusion for wall thickness

Bylaw No. 1992, 2012 proposes a GFA exclusion for wall thickness as outlined in Appendix A. The purpose of the proposed change to the GFA exclusions definition regarding wall thicknesses is to remove an existing regulatory barrier to the design and construction of wall assemblies that exceed the minimum insulation levels required by BC Building Code¹. The current RMOW definition of ‘gross floor area’ calculates GFA from the outside surface of exterior walls, and as such presents a disincentive to the construction of thicker wall assemblies that are designed to achieve increased insulation performance (R-value). This is due to the fact that almost all cost-effective techniques for achieving higher R-value walls (i.e. greater than the code required R20) require a wall thickness beyond the current 6” code standard.

The practice of measuring GFA from the outside surface of these thicker wall assemblies means that by definition, the interior useable portion of the building is reduced (e.g. with the current definition, installing 4” of additional exterior wall thickness for an average 325 sq.m (3,500 ft²) house would reduce useable interior space by approx. 17 sq.m (185 ft²)). This reduction of interior

¹ Note that the City of Vancouver has already adopted a similar policy within their Building Bylaw – Floor Space Exclusion to Accommodate Improved Building Performance (Envelope and Thermal Insulation).

space presents a significant barrier to the design and construction of higher performance wall assemblies and as such, it is recommended that the definition be amended as proposed in order to promote increased energy efficiency, decreased utility costs and reduce GHG emissions across the community.

Gross Floor Area Definition – Restructured

Bylaw No. 1992, 2012 contains an amendment to restructure the definition of Gross Floor Area (GFA). The current definition for gross floor area describes how GFA is measured and what floor area is included, but it also contains a series of GFA exclusions. For improved clarity of the GFA definition all exclusions from the GFA calculation are included under a new subsection of General Regulations as shown in Appendix A. The General Regulation section of the Zoning Bylaw contains other exclusions or exceptions with respect to other parts of the Bylaw. It is recommended that the GFA definition be restructured as proposed for the purpose of clarity and readability of the Zoning Bylaw.

POLICY CONSIDERATIONS

Official Community Plan Policies

The municipality's existing Official Community Plan (OCP) provides policies related to the location, amount and pattern of land use and development; an evaluation methodology for proposed zoning amendments; and guidelines regarding development permit issues such as; form and character of development, protection of development from hazardous conditions and protection of the natural environment.

Residential Development

OCP Sections 4.1, 4.2 and 4.13 have policies relating to Residential and Commercial Accommodation and Resident Housing and Section 4.13 provides criteria on how proposed rezoning amendments or developments will be evaluated.

OCP Section 4.1 focusses on accommodation capacity of the community as measured in bed units. Under the current bed unit formula for determining servicing and facility requirements for one person, there is no limiting factor to the floor area size for detached dwelling and duplex dwelling units. Therefore, regardless of the floor area size of a detached dwelling or a duplex dwelling unit, it will only be considered to generate a 6 bed unit capacity for detached dwellings and 12 bed units for duplex units (6 units per dwelling unit). Therefore, if an exclusion of basement floor area from the GFA calculation is permitted this will not change the bed unit calculation for the property.

In Section 4.2, Resident Housing, the background statement indicates a desirability that a range of housing types and prices be provided so that residents can find affordable, suitable housing. However, the policy also acknowledges the Municipality favours approaches that involve minimal intervention and restriction. Over time, this proposed blanket amendment may result in additional legitimate rental units being created adding to supply and diversity of rental accommodation.

Municipal Infrastructure Capacity

The proposed zoning bylaw amendment allows for potential increases in the total developed floor area within many residential neighbourhoods. This may result in unknown impacts to infrastructure. There is uncertainty regarding how much more floor area may be developed as a result of the blanket zoning amendment for GFA exclusion, how this floor area will be used and how that may affect demand for water, fire protection, sewers, storm sewer and energy systems.

Many elements of the RMOW infrastructure systems have been designed and upgraded to incrementally provide for the municipality's increasing development capacity. Many of these systems do not have surplus capacity and the uncertainty over increased demand associated with potential increases in floor area for many parts of the community has been identified as a concern. However, the proposed zoning changes are supported with on-going monitoring and review over the two year pilot period.

Overall Patterns of Development of the Community and Resort

The proposed zoning bylaw amendment would allow additional floor space to be developed for single family and duplex properties throughout the municipality, as illustrated in the examples in Appendix B. This may contribute to generally larger building mass over time. However, this will be moderated by site conditions,

Views and Scenery

If an owner chooses to renovate or build a new detached or duplex dwelling utilizing the proposed GFA exclusion floor area as part of the building mass, this may change views and scenery within existing neighbourhoods. For the majority of the single family and duplex properties, the controlling regulations are the site coverage, building height and setback regulations. Development permit guidelines are not authorized for these dwelling types under provincial legislation.

In some cases there are further design guidelines and controls that influence massing and form and character and associated impacts on views and scenery. These have been established through registered design covenants, Land Use Contracts, and development permit guidelines for multi-family development including single family and duplex dwellings and would continue to apply and be reviewed on an individual basis.

Development Permit Guidelines

Some detached and duplex dwelling buildings in Multiple Residential Zones are located on lands designated as a development permit area under several categories, including design objectives for form and character of multi-family developments, protection of the natural environment or protection of development from hazardous conditions. Any proposed changes to these residential buildings and site layout are subject to development permit approval and must be in accordance with the guidelines specified for the various OCP Development Permit Area designations.

Most detached and duplex dwelling buildings are in Single Family and Two Family Residential Zones and do not require development permit approval. The Local Government Act specifically does not permit development permit areas and guidelines to be established for these types of development. Therefore, for most detached and duplex buildings if a Building Permit application meets the Zoning Bylaw and BC Building Code requirements, and there are no variances or other

land use regulations governing the property (i.e. design covenants, land use contracts, builders' covenants, strata bylaws) they must be issued a Building Permit.

Community Energy and Emission Reductions

In August 2010 Council adopted Greenhouse Gas Emission targets and other energy and water conservation policy and action statements into the OCP. Specifically, the Municipality has established the same ambitious GHG emissions reduction target as the Provincial government to reduce the 2007 emissions levels by 33 percent by 2020. This will require a significant effort toward overall community energy efficiency for both new and renovations of existing buildings.

Any change to the zoning bylaw that increases the currently permitted gross floor area of any building may both result in increased energy use, as well as associated greenhouse gas emissions. It is possible that owners will integrate innovative building systems to reduce their overall energy consumption and emissions footprint, but there is no means within current legislation or regulations to require that energy efficiency is maximized and total consumption is reduced at the building permit stage. If this is not the case, increases in floor area and associated increases in energy use may move the municipality away from its energy and emission targets. The extent of this is uncertain.

Variances

Property setback, site coverage and height regulations have been identified as important controls to mitigate potential impacts on existing neighbourhood character, resulting from additional building mass particularly on smaller lots. Issues related to variances to these controls are discussed as follows.

Development Variance Permit (DVP)

With DVP Applications, Council is in direct control and may refuse to allow variances for height, property setbacks and site coverage where the perceived impacts of building mass on smaller lots are excessive. However, owners may still submit an application and present their rationale to Council on a case by case basis for why their variances should be granted.

As part of the two year pilot program, staff proposes to monitor DVP applications for proposed variances that create a larger building mass that are substantially affecting the use and enjoyment of adjacent lands in existing neighbourhoods. Council may also establish a general policy for its consideration of DVP applications.

Board of Variance (BOV)

The Local Government Act (LGA) Section 899 states a municipality that has adopted a Zoning Bylaw must establish a Board of Variance (BOV) as outlined in the Act. The BOV is an independent body with a limited scope of review with respect to variances relating to "undue" hardship to a property owner. However undue hardship is not specifically defined in the LGA in order for such Boards to review circumstances in each municipality on their own merit and context. Given the BOVs independent nature, staff and Council are reliant on the LGA Section 901(2) (c)

that, in the board's opinion, they would not approve variances that "substantially affect the use and enjoyment of adjacent land" or "defeat the intent of the bylaw".

Staff reports to the BOV may provide recommendations concerning the proposed variances. However, the Board is not bound by these recommendations and may act unilaterally as authorized under LGA Section 901 (2)(c). Finally, as outlined in Section 901 (8) of the LGA, a decision made by the BOV is final. Such decisions may be challenged legally, but would only be overturned if determined to be unreasonable.

Whistler 2020 Analysis

Whistler 2020 is the municipality's overarching long term strategic plan for Whistler's future. This plan describes what Whistler aspires to be in the year 2020: the values, sustainability principles, vision, priorities and directions that define success and sustainability for the resort community. Specific policies that have been recognized and considered pertinent to the proposed rezoning are listed below:

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	Clarification of the use of the existing floor space and future new excluded floor space may improve the return on capital invested by property owners.
Economic	A skilled workforce supports the local economy, and the local economy supports the skilled workforce.	Amendments may lead to employment for local builders to help property owners to obtain appropriate permits.
Resident Housing	Residents enjoy housing in mixed-use neighbourhoods that are intensive, vibrant and include a range of housing forms.	Amendments may lead to a diversity of the housing forms in the various neighbourhoods.
Built Environment	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The potential for increased floor area may have associated increases in energy demand. Renovations and new builds may utilize newer technologies and materials for completing these spaces.
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscales and evoking a dynamic sense of place.	Two year monitoring program to evaluate changes in resort community character and impacts on viewscales or attractiveness of designs.
Resident Housing	Developed areas are designed and managed to be sensitive to the surrounding environment	Two year monitoring program to evaluate impacts on surrounding environment
Built Environment	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The potential for increased floor area may have associated increases in energy demand. Renovations and new builds may utilize newer technologies and materials for completing these spaces.

Between April 2010 and October 2011 the municipality held a series of open houses with the public, focus groups and Council to develop updates to the goals, objectives and policies to be included in a new Official Community Plan (OCP) with respect to residential development, economy, community experience and community design. Council is currently reviewing the proposed OCP document in Bylaw No. 1983, 2011 and will determine if revisions are required and when it will proceed to a Public Hearing. Until the draft OCP in Bylaw No. 1983, 2011 is adopted; the existing OCP and its amendments are in effect and used to guide rezoning application with respect to land use development decisions.

IMPLEMENTATION

If the proposed zoning bylaw amendments are adopted there are implementation requirements to understand and put in place.

Monitoring 2012-2014

As part of the two year pilot program the following issues should be monitored:

- 1) Track the number of detached and duplex buildings submitted and obtaining proper permits.
- 2) Track the amount of excluded GFA in basement floor areas.
- 3) Monitor the number of DVP applications for setback and height variances as a result of designs which are maximizing the permissible GFA and the new floor area exclusion.
- 4) Track the change in energy consumption patterns based on the construction methods used for the renovations or new builds.
- 5) Monitor the impact on RMOW infrastructure capacity.

An annual report will be prepared for Council and additional reports as necessary.

Building Bylaw Amendment

The Building Department has begun implementing a process for administering the legalization of existing over height crawlspaces. To bring properties into conformance with the Zoning and Building Bylaws a building permit will be required for the illegal spaces. A Building Permit Application must be submitted to the RMOW documenting all improvements made to the property that meet the GFA exclusion. A draft example of the modified BP application form is attached as Appendix E. A full plan review will be undertaken by Municipal staff and a building permit will be issued for the work. The owner of the property (or his/her agent) will book a building inspection with the Municipal Building and Plumbing Inspector to review conditions on site.

It is anticipated that improvements made to many of the homes will have had work covered that would ordinarily require a municipal inspection, making it difficult for the RMOW to issue an unconditional Occupancy Permit. To bring closure to these files the RMOW is working with Municipal Lawyers to draft a Building Bylaw Amendment which will permit conditional occupancy when it can be demonstrated that fire, health and life safety requirements in the illegal spaces have been met.

The Manager of the Building Department has had discussions with interested parties and as part of the implementation process a meeting with stakeholders (Real Estate Community, CHBA) will be arranged after the public hearing to begin outlining the proposed regulatory process.

LEGAL REVIEW

The draft bylaw was reviewed by RMOW lawyer for consistencies with best practices for bylaws and is supported in its' current draft form. Council can modify the bylaw however time would be required for an additional legal review prior to the bylaw proceeding to a Public Hearing.

BUDGET CONSIDERATIONS

It has been necessary to have legal reviews undertaken of the proposed Zoning Bylaw amendments. This will be covered by less than \$5,000 and will be covered by the Task Force's budget.

COMMUNITY CONSULTATION

In addition to the Public Open House held on March 2, 2012, there is a statutory requirement for public input for a zoning amendment through a Public Hearing. For amendments which affect more than 10 parcels, the LGA requirements and municipal practice for notification are ads in the newspaper and the RMOW website, no individual mail outs to property owners is required. The public may submit their comments on the proposed zoning amendment for review by staff and Council up until the close of the Public Hearing.

STAFF COMMENTS AND RECOMMENDATION

Throughout this report staff has made extensive comments on the many municipal considerations that pertain to the proposed zoning amendments. After taking into account the work of the Task Force, input received to date and staffs review of the proposed changes, staff recommends the draft bylaw proceed to a public hearing.

SUMMARY

This report presents Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 for Council consideration and recommends:

1. That Council considers' giving first and second reading to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012; and further
2. That Council authorizes the Corporate Officer to schedule a public hearing regarding Bylaw No. 1992, 2012 and to advertise for same in a local newspaper.
3. That the effects of Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992 on the resort community and the illegal space issue be monitored and reviewed after a two year trial period as described in this report.

Respectfully submitted,

Robert Brennan, MCIP
PLANNER
And
Mike Kirkegaard
MANAGER OF PLANNING

For

Jan Jansen
GENERAL MANAGER OF
RESORT EXPERIENCE

RESORT MUNICIPALITY OF WHISTLER

ZONING AND PARKING AMENDMENT BYLAW (Gross Floor Area Exclusions) NO. 1992, 2012

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

WHEREAS Council may, in a zoning bylaw pursuant to Sections 903, 904 and 906 of the *Local Government Act*, R.S.B.C. 1996, c.323, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, regulate the use of land, buildings and structures within the zones, require the provision of parking spaces and loading spaces for uses, buildings and structures, and establish different density regulations for a zone, one applicable to the zone generally and the other to apply if conditions are met;

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

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (Gross Floor Area Exclusions) No. 1992, 2012"

2. Zoning and Parking Bylaw No. 303, 1983 is amended by:

(a) Deleting the definition of "gross floor area" in Section 2 - Definitions and replacing it with the following:

"gross floor area" means the total area of all floors in all buildings on a parcel, measured to the outside surface of the exterior walls of the building including stairwells, basements and cellars but excluding areas specified in subsection 25 of Section 5.;"; and

(b) Deleting the definition of "crawl space" in Section 2 - Definitions and replacing it with the following:

"crawl space" means any floor area having less than 1.5 metres of clearance between the underside of a roof or floor system above and a ground floor slab or ground surface below;";

(c) Deleting the definition of "void space" in Section 2 - Definitions and replacing it with the following:

"void space" means any floor area having less than 1.5 metres of clearance between the underside of a ceiling, roof or floor system above and the upper surface of a floor system below;";

(d) Adding the following to Section 5 – General Regulations as subsection 25:

"25 Gross Floor Area Exclusions

The following are excluded from gross floor area calculations:

25.1 For detached dwelling and duplex dwelling buildings:

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

- b) crawl spaces;
- c) void spaces;
- d) parking areas;
- e) elevators;
- f) areas occupied by fixed machinery and equipment; and
- g) exterior wall thickness in excess of 6" (152mm).

25.2 For all other buildings,:

- a) crawl spaces;
- b) void spaces;
- c) parking areas;
- d) elevators;
- e) areas occupied by fixed machinery and equipment;
- f) exterior wall thickness in excess of 6" (152mm);
- g) garbage and recycling facilities – up to 20m² – except for those located in single family and duplex dwellings; and
- h) bicycle storage facilities – up to 8m² per dwelling unit – except for those located in single family and duplex dwellings.

3. If any section or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Given first and second reading this __ day of _____, _____.

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

Given third reading this __ day of _____, _____.

Approved by the Minister of Transportation this __ day of _____, _____.

Adopted by the Council this __ day of _____, _____.

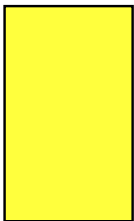
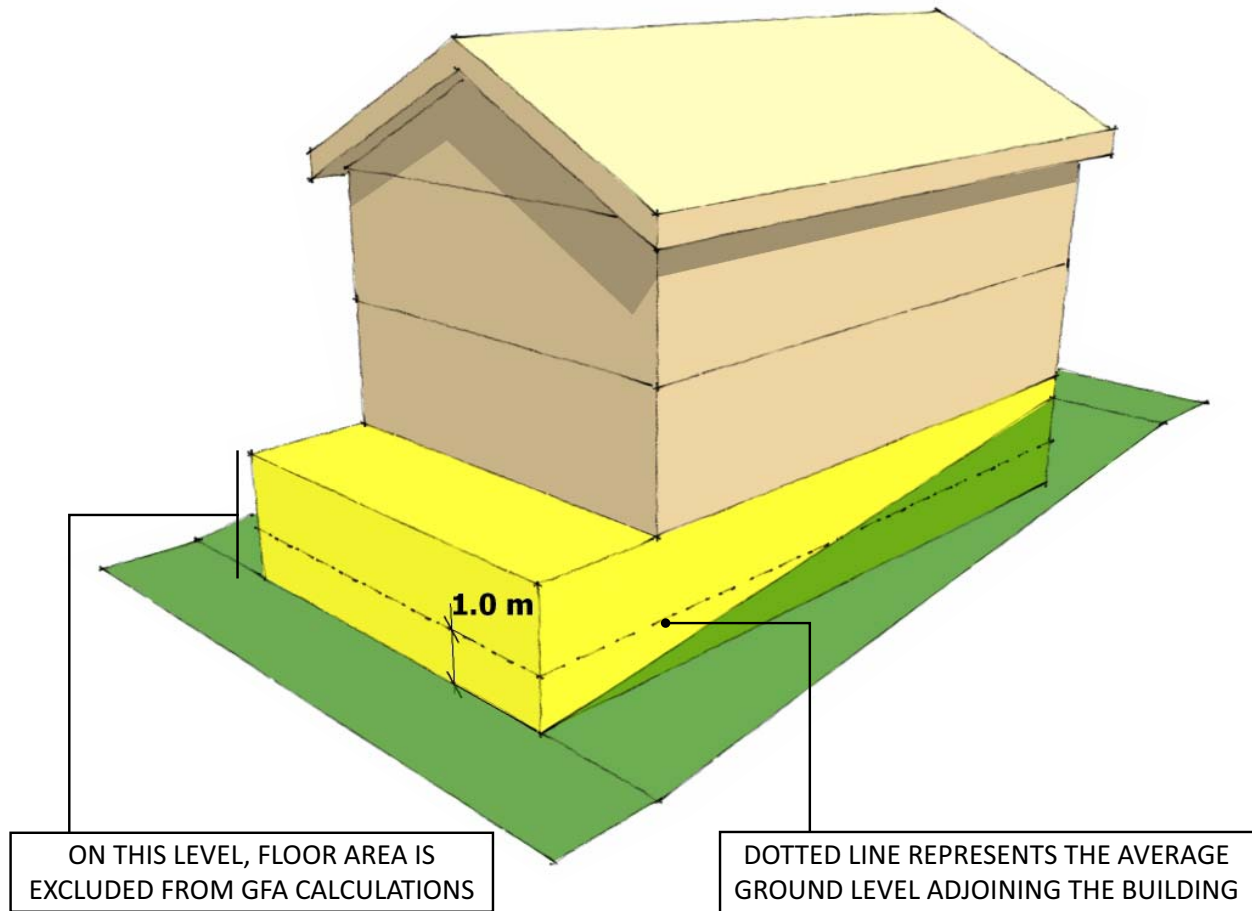
Nancy Wilhelm-Morden,
Mayor

Lonny Miller,
Corporate Officer

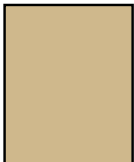
I HEREBY CERTIFY that this is a true
copy of "Zoning Amendment Bylaw
(Gross Floor Area Exclusions) No. 1992,
2012"

Lonny Miller,
Corporate Officer

PROPOSED GROSS FLOOR AREA EXCLUSION: **IN-GROUND BASEMENT**



AREA IN YELLOW REPRESENTS THE IN-GROUND BASEMENT FLOOR AREA DEFINED WITH AN ELEVATION AT LEAST 1 METRE BELOW THE AVERAGE LEVEL OF FINISHED GROUND ADJOINING ALL EXTERIOR WALLS OF THE BUILDING.



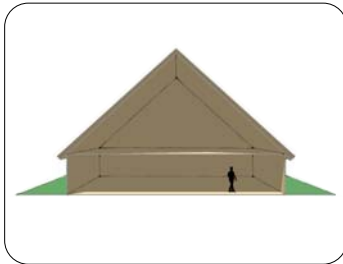
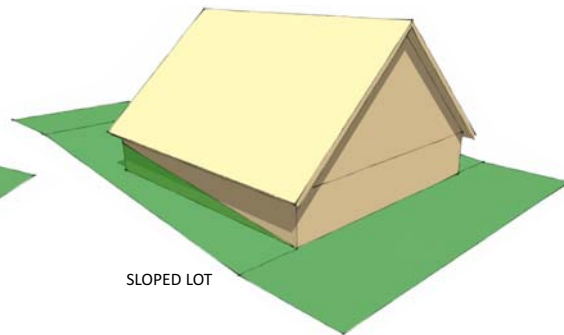
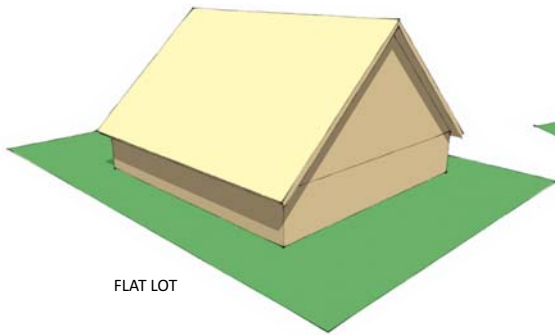
AREA IN BEIGE IS THE AREA CONSIDERED AS GROSS FLOOR AREA PER THE EXISTING ZONING BYLAW DEFINITION.

NOTE: ALL OTHER ZONING REGULATIONS STILL APPLY, FOR EXAMPLE, BUILDING HEIGHT, SETBACKS AND PARKING REQUIREMENTS.

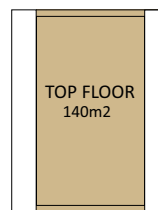
NOTE: PERSPECTIVE DRAWINGS FOR DISPLAY PURPOSES ONLY.

TWO STOREY DWELLING WITH VAULTED SPACE

CURRENT ZONING



14m



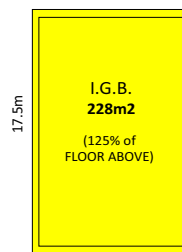
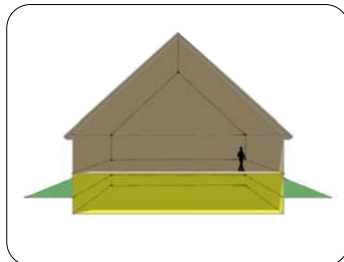
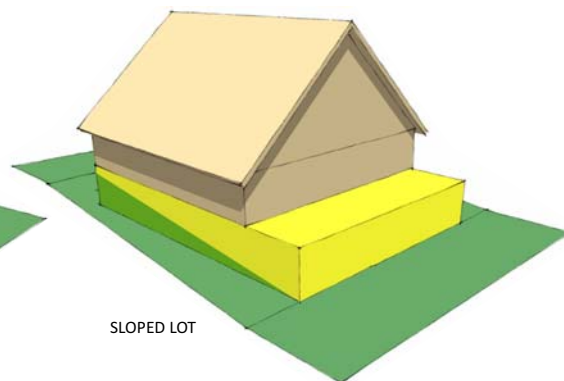
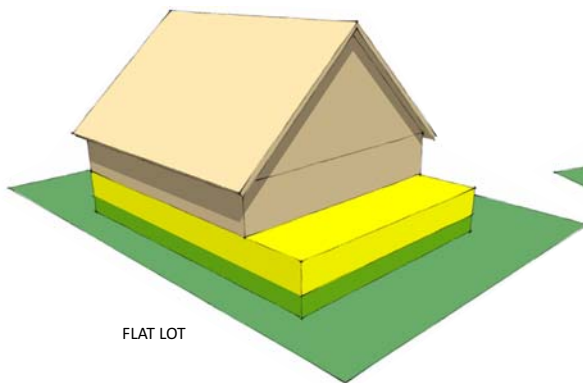
13m

10m

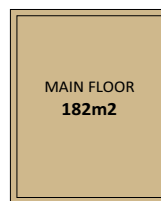
TOTAL AREA = GROSS FLOOR AREA (GFA)
= MAIN FLOOR + TOP FLOOR
= 182m² + 140 m²
= **322m²**

NO GFA EXCLUSION

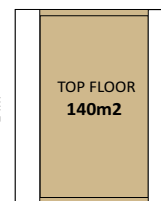
PROPOSED GFA EXCLUSION



13m



13m



14m

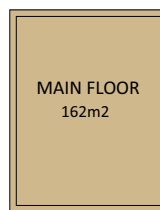
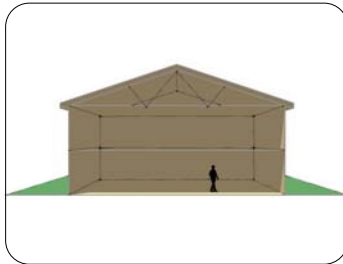
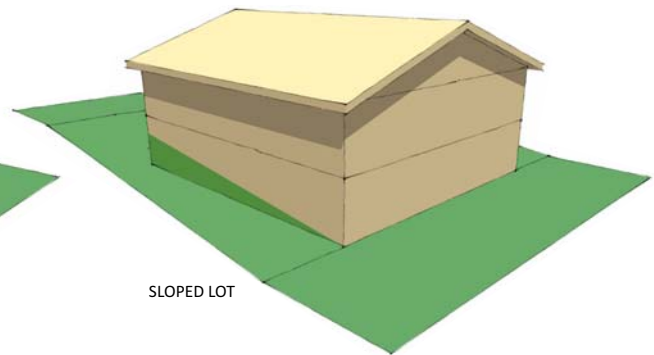
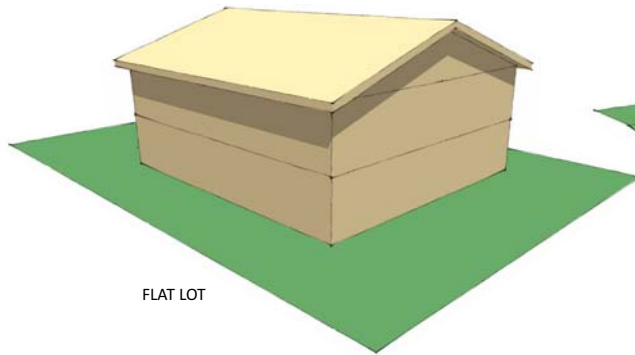
10m

TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + MAIN FLOOR + TOP FLOOR
= 228m² + 182m² + 140 m²
= **550m²**

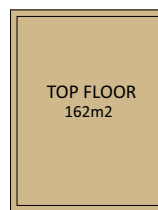
IN GROUND BASEMENT EXCLUSION

TWO STOREY DWELLING WITH TRUSS ROOF

CURRENT ZONING



13.5m



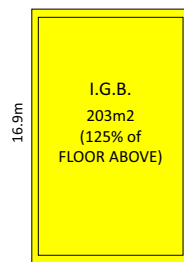
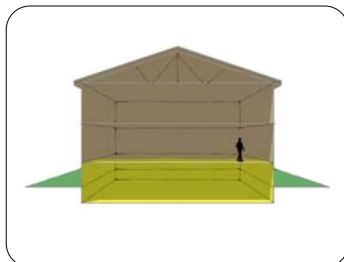
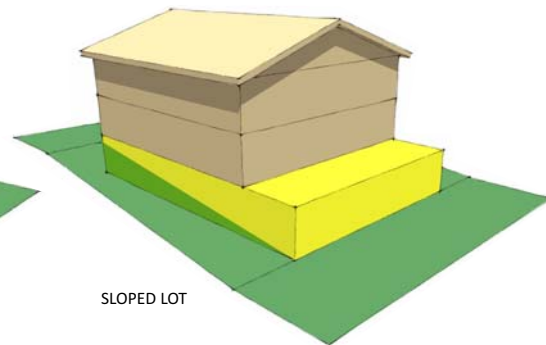
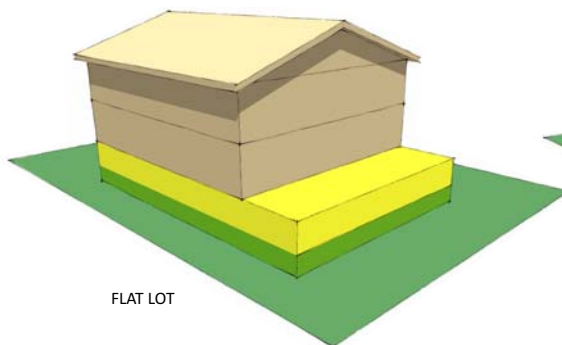
12m

12m

TOTAL AREA = GROSS FLOOR AREA (GFA)
= MAIN FLOOR + TOP FLOOR
= 162m² + 162 m²
= **324m²**

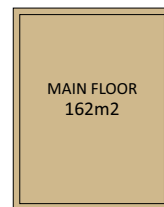
NO GFA EXCLUSION

PROPOSED GFA EXCLUSION

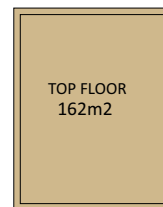


16.9m

12m



12m



13.5m

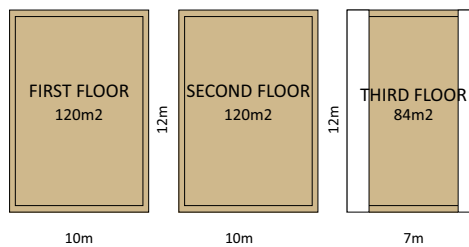
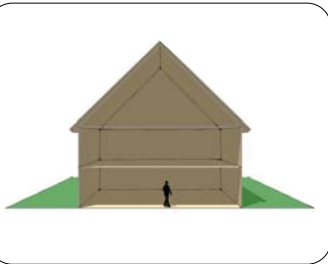
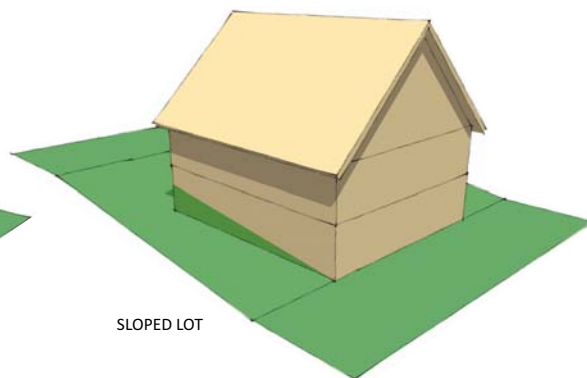
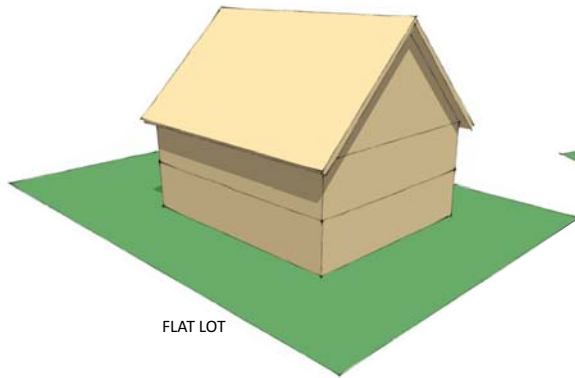
12m

TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + MAIN FLOOR + TOP FLOOR
= 203m² + 162m² + 162 m²
= **527m²**

IN GROUND BASEMENT EXCLUSION

THREE STOREY DWELLING WITH VAULTED SPACE

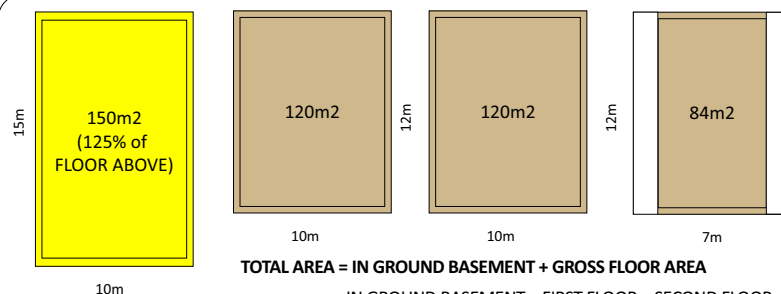
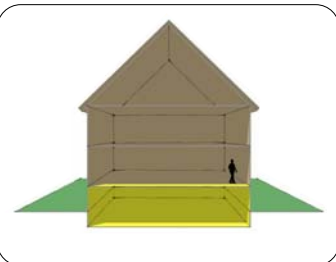
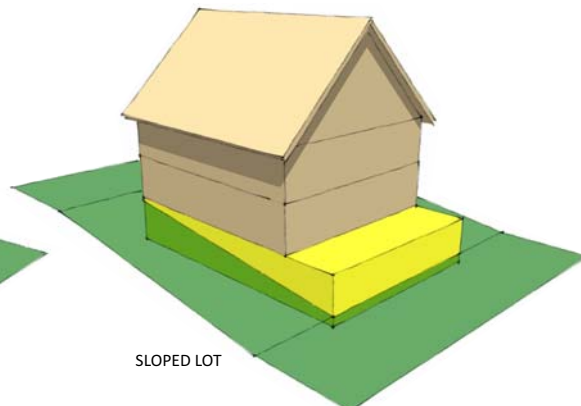
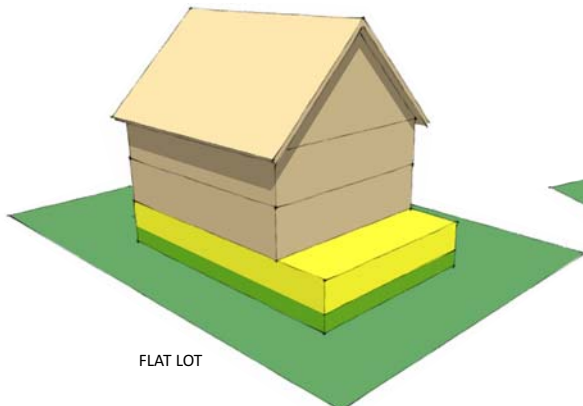
CURRENT ZONING



TOTAL AREA = GROSS FLOOR AREA (GFA)
= FIRST FLOOR + SECOND FLOOR + THIRD FLOOR
= 120m² + 120 m² + 84m²
= 324m²

NO GFA EXCLUSION

PROPOSED GFA EXCLUSION



TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + FIRST FLOOR + SECOND FLOOR + THIRD FLOOR
= 150m² + 120m² + 120 m² + 84m²
= 474m²

IN GROUND BASEMENT EXCLUSION



THE RESORT MUNICIPALITY OF WHISTLER

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OPEN HOUSE COMMENT SUMMARY – MARCH 2, 2012 POTENTIAL ZONING CHANGES TO RESIDENTIAL FLOOR AREA REGULATIONS

1. Do you have any comments on the overall direction of the proposed zoning changes?

- ☐ This is a step in the right direction.
- ☐ Burdening local full time residents with yet even more taxes will further erode the sustainability of our community. Instead of looking to skim the locals, tax non-resident investors or focus on cost cutting and more efficient management. Please abandon the idea altogether and raise funds by innovating instead, even more taxation is the oldest trick in the book and it never works to the favor of the public, nor to the politicians who will be looking for votes at the next election. Everyone can see that the end story would be taxing non-conforming spaces, and everything else about safety etc., is just the typical theatrical front that always accompanies such changes. We have all seen it again and again and we are sick of it.
- ☐ Logical and pragmatic direction. Will help property values and give new growth to Whistler and ensure Whistler is competitive.
- ☐ I am very glad to see that a solution is being proposed.
- ☐ I support the overall changes proposed.
- ☐ I think it is about time and a step in the right direction.
- ☐ I think it is a good step in the right direction.
- ☐ Since many of houses already have these illegal spaces, changes are good and needed.
- ☐ The task force is definitely moving in the right direction. They should continue to work towards legalizing more spaces.
- ☐ I think that it can only be a positive move and will give people a definite direction on what is achievable.
- ☐ I approve of the zoning changes.
- ☐ Good work guys!
- ☐ I think this is a move in the right direction however there are other areas within the overall gross floor area that should be considered, i.e. space over the garage, under eaves etc.
- ☐ I am very happy the RMOW is finally making improvements to this very important issue.
- ☐ Good job!
- ☐ It is a great idea and about time. Recognizes the realities of buildings in Whistler.
- ☐ Re-inspect every home!!
- ☐ They seem very positive.
- ☐ It's been an issue for a long time and it's great that you are dealing with it.
- ☐ A good step in the right direction.
- ☐ Make it fair to all parties. Including Rainbow. Why different rules for White Gold, Alpine, Emerald, Rainbow. FAIR to everybody or DON'T do it at all.
- ☐ This is certainly a step in the right direction. Townhomes next?
- ☐ Yes, fully support this direction.
- ☐ Makes logical sense to permit these proposed changes. Fully support it.
- ☐ I think this is a positive approach to attempting to deal with this problem.
- ☐ It seems to be a very good start. It is simple in concept.
- ☐ On the right track.



- I think this is a good first step and well overdue.
- Great to get this done – sooner the better. Please get started happening as soon as possible.
- No comment.
- I like them!
- This is good.
- Overall direction is excellent.
- I agree with proposal on the table.
- Positive initiative, from a safety aspect and putting all / most residents on a level playing field.
- Building height – I know you have shown finished grade – but I think there could still be issues with “fudging”. I would think that the over garage and in-fill would present more issues.
- This needs to be immediately instated/amended.
- Looks great – congratulations to the team!
- Headed in the right direction.
- Yes, absolutely this is the right direction to be heading. I look forward to seeing the illegal spaces committee continuing to work towards legalizing as many illegal spaces as possible.
- I agree that we should be working to legalize many of the existing non-conforming spaces. The current approach of the past decade clearly did not work. Let people build the houses they want!
- Are you going to prosecute those that do not come forward?



2. Do you have any comments on the proposal to exclude basement-like floor areas from the zoning definition of Gross Floor Area? Any comments on the allowances and definitions being proposed?

- ☐ Volume/ height limits and setbacks are enough control. Larger lots should allow larger homes than current.
- ☐ This is a logical starting point and should remedy a large percentage of the issue.
- ☐ This is a good 1st step in addressing a chronic issue of non compliance in Whistler.
- ☐ I support the basement area proposal.
- ☐ It is fantastic that basements are going to be excluded for the total GFA calculations.
- ☐ As long as no impact of exposed building volume and scenery between neighbours, owner should have freedom of use of basement.
- ☐ The definitions are very clear, and I support their recommendations.
- ☐ It all seems fair enough to me.
- ☐ No comments.
- ☐ With the above in mind I feel that the overall height & setbacks should be factored into the calculation to also convert the above areas into legal space as well as the crawl spaces.
- ☐ I approve strongly the proposed change to exclude basements from GFA.
- ☐ No comments.
- ☐ Conform to existing codes.
- ☐ Good idea.
- ☐ This is a good start to solving the problem. If a house meets its setback & height restrictions and safety requirements of current zoning square footage should be fine.
- ☐ Makes sense.
- ☐ Well I think the basement like area should go in. It should get taxed. Therefore allow the extra GFA.
- ☐ Only that I do wish to see this take place. Long overdue.
- ☐ What limitations are placed on a property owner to manipulate the average finished grade of the lot?
- ☐ No comment.
- ☐ In agreement.
- ☐ This is a great benefit for lots on slopes; flat lots (particularly those that are impacted by flood level issues) are not addressed. I would hope that something to legitimize extra space issues in these areas is part of this.
- ☐ Should do all spaces now. The exclusion of strata or RS residential zones should be dealt with.
- ☐ This may impact parking requirements, e.g. if 4 bedrooms were added. Should be measured from "natural" grade rather than "finished grade". Not to affect massing/building height max.
- ☐ The proposed changes make sense.
- ☐ No comment.
- ☐ Fully approve.
- ☐ My belief would be that if you can construct within the setbacks & height restrictions it should be allowed. Basements underground should be allowed.
- ☐ Excellent compromise.
- ☐ Why go there?
- ☐ No comment.
- ☐ It's great!



- This is a very good start, and as proposed it makes sense. I believe this is a positive step.
- The definition seems to be very inclusive to help a broad range of property owners. I agree with what is being approved / proposed.
- Is this just first attempt at bringing illegal spaces into compliance? Will there be more?



3. Do you have any questions or comments on the proposed zones that these changes would apply to (see map)?

- ☐ This is a start but a good one and the multifamily and other zones should be included as soon as possible.
- ☐ I'm assuming existing homes would be grandfathered and future builds would benefit from the new code. Correct?
- ☐ I think all zoning including LUC should be included, why limit some areas & not others?
- ☐ RTA11 has lots that seem to have non-conforming space so these areas should be included to legalize what's already built.
- ☐ No comment.
- ☐ It would be better if information was clearer on the zones.
- ☐ No questions.
- ☐ Crawl space calculation does not apply to all neighborhoods. i.e. Nicklaus North, White Gold, Tapleys, etc. – non-inhabitable crawl spaces. *All neighbourhoods should benefit from this rezoning proposal.
- ☐ If you already have below grade development that is part of your allowable building can that be applied elsewhere?
- ☐ Will the zoning change apply to all of Whistler?
- ☐ I think this is completely UNFAIR. Why have different rules for different subdivisions?
- ☐ I would like to see all areas in Whistler included in this scheme as I don't feel it is fair that not all property owners should be ultimately expected to follow the same rules as property owners in the zones as shown to date.
- ☐ No comment.
- ☐ Additional zones under consideration need to be pursued.
- ☐ I would like to see this apply to all zones where single family or duplex is permitted including RT zones. Anything more than 4 B U (?) should be covered.
- ☐ Bare land stratas should be included. The strata lot titles go down to centre of the earth and new space developed under existing units would have little, if any impact.
- ☐ Should be resort wide. No exclusions.
- ☐ No comment.
- ☐ n/a
- ☐ No comment.
- ☐ Include more zones!
- ☐ This should be expanded to include neighbourhoods that would currently be unaffected by these changes.



4. Do you have any questions or comments that you feel should be addressed in moving forward the proposed changes and ensuring properties with currently unapproved spaces come in to compliance?

- ☐ Fees for certifying could be discounted in the early stages and incrementally increased over time.
- ☐ Who will investigate the "illegal spaces" and will it be a voluntary or imposed inspection?
- ☐ Continue to work to legalize other spaces (i.e. lofts/attics, void spaces, finished garages, within the existing footprint).
- ☐ How is this going to be achieved and what time scale is involved?
- ☐ It isn't clear how these changes will encourage owners with non-conforming space to come forward voluntarily. They may be scared they will have to redo electrical/plumbing etc. This issue should be discussed publicly as well.
- ☐ Continue to move forward quickly with this process and keep up the good work that you have begun!
- ☐ No comment.
- ☐ It seems that some of the biggest residences are the ones that have taken advantage of capturing additional square footage. If the goal is to ensure everyone is paying their fair share the basement issue is only one part of what should be a continuing initiative.
- ☐ I think that the next step will likely be to tackle the non-conforming space in stratas.
- ☐ Grandfather & move forward.
- ☐ No comment.
- ☐ No comment.
- ☐ Building permit fees should apply to basement like floor areas both for new construction and retroactively when alterations are made to old buildings.
- ☐ How do strata corporations – condo type sites fit into these initiatives? That should be part of the initiative as well.
- ☐ Will there be any attempts to deal with non-conforming spaces that are not on basement or ground levels of existing buildings?
- ☐ Where a house has a "basement" space which complies with the new regulations and could now be permitted for development and a covenant was previously registered on title stating it could not be developed will the homeowners be able to remove the covenant?
- ☐ Home will come into compliance as the owners make upgrades or sell.
- ☐ It's a good idea all round.
- ☐ Re-inspect all homes.
- ☐ Expand this past single family.
- ☐ No comment.
- ☐ No questions. Please move forward.
- ☐ I feel that non-conforming space information needs to be available to temporary workers that may not follow the topic as closely. They are the ones most likely to live in an unsafe space and should be aware of the regulations.



5. Do you have other comments on the proposed amendments or this initiative in general?

- This will be good for Whistler. Keep exteriors and setbacks similar but allow more freedom for size.
- This is a positive development that will fuel investment in Whistler and improve its competitiveness as a top resort destination.
- Will there be a "timeline" imposed to achieve compliance to code and safety standards?
- The zoning rules should allow duplexes to have secondary suites in the basements to help with affordability (this is common).
- No, not at the present time.
- Overall, I am very supportive of the initiative. I believe duplexes with basements should also be permitted secondary suites.
- Move to legalize as much space as possible, especially space within the existing volume of homes (i.e. void spaces, lofts, attics, finished garages, etc.).
- Relax suite rules (i.e. allow secondary suites in duplexes, third suites in single family detached. Whistler should be supportive of densification to create greater efficiencies in provision of services, environmental footprint, and helping affordability.
- The GFA should be totally removed from the bylaw, stick to the setbacks & height requirements and let property owners build as big as they want!
- No comment.
- It is a step.
- Consideration for suites in residences that have been mandated for affordable housing for resident workers.
- Please look at the issue of infilling vaulted spaces within the building envelope (e.g. filling in space over vaulted living room).
- This should address all illegal space.
- Great idea. Long overdue.
- Let's move forward quickly the uncertainty of what the future will offer is impacting investment and property value.
- Any further development on these changes should be kept as simple possible along the lines of building volume. If the form and character of a building is still the same whether or not you fill in (for example a vaulted ceiling), it should be fine, both for existing and proposed residences.
- Further can the covenant be removed prior to any permits to develop the space being applied for?
- Fair to everyone, if this goes through the extra taxes and permit fees will allow municipality not to have to raise permit fees because of this extra income. (I have personally worked on illegal space and I don't think it will stop so let the municipality profit with the taxes.
- My main comment is why are we capped at 5000 sq ft? Why not have a cap on floor space ratio? Larger buildings need more setbacks, height limitations. If someone has a large enough lot why not have 10,000 ft² or whatever. Those places would create a lot of man years of work plus the maintenance.
- I hope that in filling there some changes will come.
- It should eventually go further; the size of a building on a particular lot should be governed by % of lot coverage (total including garage) and roof height. The living space, square footage should be relevant. A lot of time has been wasted on this calculation and unnecessary.



- While there will be some “minor” issues that may come up with the initiative, there is far more good that will come by finally dealing with this matter. Well done Council, Staff, & Committee members. Best of luck with moving forward.
- Please move forward with this proposed change. It is only a matter of time before people are seriously hurt by being “allowed” to live in a non-conforming space with no exit from house fire or other tragedy.
- I am a fan of this proposal but still do not want monster homes to become permitted within our municipality. The square footage of the house should always be proportionate to the lot size.
- Great open house, very informative.
- Will builders be held responsible for building any illegal spaces?

OPEN HOUSE COMMENTS RECEIVED BETWEEN MARCH 6 - 23, 2012 POTENTIAL ZONING CHANGES TO RESIDENTIAL FLOOR AREA REGULATIONS

1. Do you have any comments on the overall direction of the proposed zoning changes?

- ☐ Are you going to prosecute those that don't come forward?
- ☐ I applaud the RMOW for being (finally) proactive on this issue.
- ☐ Do not agree with going in this direction as it is, in essence, rewarding bad behavior.

2. Do you have any comments on the proposal to exclude basement-like floor areas from the zoning definition of Gross Floor Area? Any comments on the allowances and definitions being proposed?

- ☐ Is this just first attempt at bringing illegal spaces into compliance? Will there be more?
- ☐ Basements should be defined. Area in the basement should not be limited by sq. ft. or we will have the same problem that currently exists.
- ☐ Depending on the lot & the house design by allowing this change someone might be able to build a home up to 7,000 square feet. The last thing this town needs is big homes that will most likely sit empty for the bulk of the year.

3. Do you have any questions or comments on the proposed zones that these changes would apply to (see map)?

- ☐ Can I buy a house with a lower floor at grade then come a(nd) backfill the lower floor to have it qualify as a basement so I can get bonus space in my house?

4. Do you have any questions or comments that you feel should be addressed in moving forward the proposed changes and ensuring properties with currently unapproved spaces come in to compliance?

- ☐ The intent of the bylaw is to bring properties into conformance and the main focus is liability (life/safety) and structural integrity of the building.
- ☐ Is there any way to ensure some form of community benefit if this goes through? I.E. people that get bonus GFA & come to apply for BP to expand their home must either build an employee restricted rental suite or pay cash that goes to fund future employee housing projects.



5. Do you have other comments on the proposed amendments or this initiative in general?

- Will builders be held responsible for building any illegal spaces?
- Question will have to be asked can a basement go beyond the footprint of the house. Will have to develop a strategy for the case that someone comes forward to bring their house into compliance but it unfortunately may not be possible even under new guidelines. Will the RMOW then be litigious or what course of action will be taken. Suggest that they then sign a covenant of disclosure as is the case today.
- This will make market homes even more unaffordable than they are and, most likely inadvertently increase the overall “bed units” in Whistler. Don’t do it!

Dear Task Force, Staff etc....

Thank you for the opportunity to comment on the proposed changes to deal with the illegal space issues in Whistler. I'd like to commend current staff and Council as well as past staff and Council for continuing to try and solve the issues related to illegal space in Whistler. The Task Force should be commended as well for providing input on the topic and for the volunteer hours spent in discussion, open house etc... I offer my opinions as a way of collaborating for a better Whistler and for no other reason.

While there are a host of questions I could ask about the current process "Did it expand beyond finding a solution to illegal space?" "Did it adequately inform residents about the potential benefits and drawbacks to make inform comments?" etc..., the question that I have on this challenge is **"Are we being strategic?"**

What I mean by that, is "Are we ensuring that we get the outcomes we desire or at a minimum ensuring that we can still reach our desired outcomes at some point in the future?" This question is akin to a mountain climber asking, "If I take this next route, will it lead me to a dead end or help me lunch an attempt at the summit?"

In answering this question it is apparent that we need to have a clear idea of what the desired outcomes are.

I think in the long run most Whistlerites would agree that we want to have a successful and sustainable resort community, where we are thriving and the once apparent trade-offs between community life, resort experience, economic viability, and a healthy environment have been put to rest. At the same time we want to deal with the many issues of today. Achieving these benefits requires open market principles and regulatory/pricing approaches to manage the market failures that are currently acting as barriers. This is why we have some policy in our lives.

The question today with respect to the current policy proposal is;

"Does this proposal meet our multiple priorities today and/or at lease ensure that we can still reach our desired outcomes in the future?"

Zoning is powerful and long lasting.

The whole reason the illegal task force was put together was to look at how to deal with the drawbacks with illegal space and to move further toward some desired outcomes in Whistler. A full breadth of the impacts due to the space is likely going to be included in the report so I won't repeat them here. **I think all the benefits are important values to Whistler and these benefits (support our construction industry, safer dwellings, etc...) should be pursued.** Is it possible

to pursue these benefits and other important community benefits in the short term? Yes. Is it possible to be strategic and ensure the proposal will help lead toward a situation where trade-offs don't exist? Yes. In fact, as Whistlerites have long understood the tremendous opportunity that rezoning is to launch the community toward a better situations. We have also come to understand however is that changes to zoning or definitions have the ability to entrench undesirable situations. Zoning is powerful and long lasting.

There are a host of reasons as to why people build, furnish, and use illegal area as living space. There are also a host of reasons as to why people may just use this illegal space as storage space, and why they may not build it at all. The homes impacted by the proposal fall into one of those three categories. The same reasons to build, use, furnish or

... the question that I have on this challenge is **"Are we being strategic?"**



not build at all likely apply to the empty or tear down home lots impacted by the proposal. Clearly not everyone builds space under their home as might be allowed by this change to the zoning bylaw.

In a race to capitalize on this proposed legal space I think it is fair to say that even more parcels will build and utilize this type of space going forward. Given that basis, there may be some community values that are further impacted compared to the current practice.

I think it is fair to say that even more parcels will build and utilize this type of space going forward. Given that basis, there may be some community values that are further impacted compared to the current practice.

So what are the values that may be impacted? As far as I can surmise with my limited time looking at the issue they are the following:

**Value 1: Appropriate Housing for Whistlerites now and in the future
Increases the price of housing**

The proposal will place increased pressure on the price of homes in Whistler. Whistler is performing quite well with respect to housing its many employees, but this is only because of the past foresight of community members and the willingness of Whistlerites to buy into the model. There is no guarantee that this performance will be maintained going forward, especially as many living in the units begin to reach retirement. If Whistler is to be successful as a community then we need to ensure that enough housing prices reflect the local economy and not the economies of far off places. The current proposal places upward pressure on the size of dwellings and therefore the cost of building.

**Value 2: Bed Cap
Places additional stress on our built infrastructure and built capital**

Our bed cap system as archaic as it might be was built to ensure that Whistler's infrastructure was not overloaded. Since then it has gain mythical proportions and now is viewed as a tool to ensure that our infrastructure, recreation experience, natural areas and overall crowding of the community is not impacted. Past illegal space has contributed to impacts on these systems and based on the current proposal the new space will likely do so as well. The current and future impact of this additional space of just rezoning detached and duplex dwellings represents an approximate 1-1.5 million additional square feet of building space on top of what we already have. This size represents about another Rainbow/Baxter Creek built form in size, not use, but size.

**Value 3: Energy and GHG Targets
Will add additional heated floor space to the community**

With 1-1.5 million additional sq.ft of space comes the demand for more energy use for heating and appliances. Much of this energy is currently provided by natural gas and much of BC's future electricity may be derived from natural gas as well. Both these sources are part of our community's, province's, country's and world's contribution to greenhouse gas emissions. Clearly the continual increase in ghg's cannot continue, and in fact Whistler has aggressive targets in the OCP to reduce these emissions. There may be some energy reduction benefits to bringing illegal space up to building codes, but the overall continuation of larger space and allowance for larger buildings will likely continue to increase energy use and likely emissions.

**Value 4: Belief in the rule of law
Rewards rule breakers and punishes those that followed the rules.**

The current proposal continues to reward people with illegal space in their units, by making it legal. Of course they may have to go through some additional hoops to make it legal, but they are essentially getting a large benefit from this proposal. All the other parcels with homes that were built to the law, will also have the potential to be built as described in your diagrams, but until these homes are torn down/jacked up in the case of a flat lot, or part of a major renovation in the case of a sloped lot, these rewards won't accrue. In fact until that time, the attractiveness of the units that were built to the law may diminish slightly.

In being strategic, there are two ways in which to ensure that the values they encompass are not compromised.

1. **Ensure that the solution today addresses them.**
2. **Ensure that the solution today remains flexible to addressing them at some point in the near future.**

At risk of looking very naïve, there are many other people with far more knowledge who could be involved ensure that more community values are considered in today's solution, but I feel it is in the spirit of collaboration to at least suggest a few ideas too.

1. **Appropriate Housing for Whistlerites now and in the future:** While the current proposal increasing the safety of currently illegal living space it also makes conditions to further increases the cost of future dwellings in Whistler by allowing more space. Whistler has a history of trying to manage the cost of housing in the community and could continue to apply that to this proposal. Solutions might look like other solutions we've had in the past, but might also include solutions like market lot splits, more duplexes, increases in rental suite proportions and size, employee suites, housing payments etc... I realize the suggestion above for affordable housing may also impact infrastructure, so it is not ideal. On the other hand it might also increase the number of people living and migrating to the community and support a longer term economic benefit than just the construction phase.
2. **Bed Cap – minimizing impacts on built and natural infrastructure:** Some additional provisions for parking, building massing etc... or additional local improvement charges on properties, user pay for infrastructure (water, waste, sewage) could help to limit or pay for these impacts on infrastructure. With respect to the impact on natural areas, the current proposal mainly extends impacts to those areas outside of Whistler though additional material used, but locally the impact can be felt on the site where once open natural space under homes or stilted structures is more frequently covered up by buildings. Agreements increase setbacks etc... may help to mitigate this impact.
3. **Energy and GHG Targets:** In most rezoning and as recent as February 2012, Council policy has been to extend provisions to strongly encourage higher efficiency buildings. Baxter Creek, Cheakamus Crossing, Fitzsimmons Walk etc... This practice should just be extended to this proposal to ensure that we can move toward our energy and ghg reduction targets on our own terms without relying on other levels of government. We should continue to lead and then write higher level policy as opposed to just responding to what others decide for us.
4. **Belief in the rule of law:** The current proposal goes far beyond its original intent of solving issues with illegal space. The proposal should scale back to deal with this issue. In scaling back, the proposal may provide foundation of "entitlement in exchange for community benefits" to help support the other solutions above. Including parameters to support the values above is another way to ensure the rule of law is not flouted. Alternatively a more market solution than regulation for dealing with illegal space, bylaws or allowance of more GFA would be to seek the power to tax illegal space a different rate than the traditional legal space tax rate. This additional tax rates may make the decision to build illegal space less appealing in the future.

The bulk of my commentary so far is premised on the assumption that the proposal doesn't support and in fact hampers our ability to support multiple community values. My assumptions could be wrong, and the pilot being proposed is a great way of testing these assumptions.

My assumptions could be wrong, and the pilot being proposed is a great way of testing these assumptions.

The current proposal seeks to apply this pilot approach; in all reality it is much larger than a pilot and the likelihood of the new approach being rescinded all together is unlikely. While the approach could be built upon, unfortunately the best timing for managing the potential drawbacks of the policy are upfront and if this opportunity isn't acted on

now, then the ability for future improvements will be greatly hampered. **Going ahead with the proposal as it stands will put us in a situation where we need to rely on other levels of government or future upzoning benefits to correct the existing and potential market and regulatory failures.**

If the ideas above or other variations cannot be implemented today into the current proposal, then the second question in an approach to 'being strategic' is to ensure that the solution today remains flexible to addressing the issues at some point in the near future.

Again at risk of looking very naïve, there are many other people with far more knowledge who could be involved to ensure that flexibility is inherent in the proposal, but here are a few ideas to consider.

1. **Employ a pressure release valve approach:** Essentially start with more strict requirements like those propose above as opposed to minimal requirements and relax/release them as much as necessary to achieve multiple benefits.
2. **Employ a real pilot, improve and expand:** Pilots are one of the best ways to test behaviour before committing to a policy change. A real pilot would apply to one small area (e.g. 200 homes) like in the case of the resident infill pilot in Alpine South, include a robust review process and then be expanded with the improvements.
3. **Use a robust assessment process:** Further improving the current proposal down the road requires that the process to review its outcomes is very robust. With a commitment from leaders to trust and act on the suggested improvements that may be needed in a few years time.
4. **Advocate at other levels of government:** Going ahead with the proposal as it stands requires a reliance on other levels of government help us meet multiple community priorities. In this case housing, ghg reductions etc... To ensure that these upper government approaches are beneficial to the values of Whistler, we need to ensure that we continue to lead the policy discussions and advocate on our behalf of achieving all our community priorities.
5. **Consider "what next?":** If this proposal isn't one part of the solution to creating a better Whistler in all areas, then continue ask answer the question "What are the next steps to keep us moving toward a successful and sustainable future?"

So where do we go next? There are really smart people working on this file and really smart people making decisions for the community. Additionally I know there is an urgency to solve some of the issues of illegal space and to get more building happening in the community.

From my perspective I would like to see respect for those who followed the rules, some enhancements to support even more community priorities through this proposal and at a minimum a truly flexible approach to ensure our ability to manage any unintended consequences and improve our community in the future.

Thanks again to all the volunteers (Council, Building Industry etc...) and municipal staff who have worked on this file so far.



RESIDENTIAL BUILDING PERMIT APPLICATION CHECKLIST

Owner's Name: _____

Permit No: _____

Project Address: _____

DOCUMENTS REQUIRED FOR ALL APPLICATIONS

- ☐ Title Search (no older than 30 days from date of application) OR ☐ \$20 charge in lieu of Title Search
- ☐ Building Permit Application Form
- ☐ Plumbing Permit Application Form (if any plumbing fixtures to be removed, replaced or added)
- ☐ Acknowledgement of Owner Form
- ☐ Owner's Authorization of Agent Form (required for ANY person other than the registered owner)
- ☐ Highway Use and Clearance Fee Form

NEW HOMES: special requirements

- ☐ Plan Requirement Checklist signed by designer & applicant
- ☐ HPO Home Warranty Registration
- ☐ Solar Hot Water Ready

RENOVATIONS: special requirements

- ☐ Declared Value of Construction:
- \$ _____

FOUNDATION PERMITS: special requirements

- ☐ Requirements as listed on p. 6 of Plan Requirement Checklist

ADDITIONS: special requirements

- ☐ Survey Plan of existing house

GROSS FLOOR AREA EXCLUSIONS: special requirements

- ☐ Area overlays of all floors detailing Gross Floor Area and Excluded Gross Floor Area
- ☐ Calculation of the average ground level adjoining the building
- ☐ Elevation detailing 1 meter maximum requirement to floor and average ground level

PLANS - 2 SETS OF ALL PLANS REQUIRED

- ☐ Site Plan with parking/road access @ $\frac{1}{8}$ " - 1' or 1:100 ☐ Floor Plans @ $\frac{1}{4}$ " - 1' or 1:50
- ☐ One extra copy of Site Plan: 11" x 17" MAXIMUM SIZE ☐ Elevations @ $\frac{1}{4}$ " - 1' or 1:50
- ☐ Area overlays for all new Gross Floor Area ☐ Sections

ENGINEERING

- ☐ Sealed structural drawings with letters of assurance
- ☐ Geotechnical engineering (where required) with letters of assurance
- ☐ Proof of insurance for all engineers



WHISTLER

REPORT | INFORMATION REPORT TO COUNCIL

PRESENTED: October 1, 2013**REPORT:** 13-091**FROM:** RESORT EXPERIENCE**FILE:** 7645.01 & RZ 1044**SUBJECT:** GROSS FLOOR AREA EXCLUSION – MONITORING REPORT**COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER**

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

RECOMMENDATION

That Council receive Information Report No. 13-091.

REFERENCES

Appendix 'A' - April 3, 2012 Administrative Report to Council No.12-038

PURPOSE

This report presents the results of monitoring that has been conducted to assess potential impacts on the resort community associated with changes to the municipality's zoning bylaw adopted May 15, 2012 seeking to address non-conforming spaces issues. The report provides data for building permits issued between May 16, 2012 and August 31, 2013, summarizing the number of permits issued pertaining to new gross floor area exclusions and the amount of excluded space, and provides a summary analysis of potential impacts on community character, energy consumption patterns and municipal services.

DISCUSSION**Background**

On May 15, 2012 Council adopted Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 which incorporated changes to the definitions of, gross floor area (GFA), crawl spaces and void spaces resulting from the work of the Council-appointed Illegal Space Task Force (ISTF). This bylaw was proposed as a significant first step towards addressing issues related to existing floor area constructed and occupied in residential buildings without permits and contrary to maximum permitted densities.

Construction and use of non-permitted basement areas in single family and duplex dwellings were identified by the ISTF as the most common situation and priority to address. The bylaw sought to address such "basement" areas by excluding them from the calculation of gross floor area and thereby eliminating the cost and time for individual rezoning applications for amending the density for each potential residential building.

As recognized in the April 3, 2012 Administrative Report to Council there is uncertainty, first, as to how effective the zoning amendment would be in encouraging property owners with existing non-permitted spaces to bring their property into compliance, second the potential impacts of the proposed changes on the community in general with regards to energy consumption, built form and design characteristics and third, the impact on RMOW infrastructure capacity. Therefore, it was recommended that the zoning changes be subject to a two year trial period within which monitoring would be conducted and reported back to Council.

The April 3, 2012 Council report identified the following suggested items for monitoring with annual reports prepared for Council:

- 1) Track the number of detached and duplex buildings submitted and obtaining proper permits for existing illegal or unauthorized floor area.
- 2) Track the amount of excluded GFA in basement floor areas.
- 3) Monitor the number of DVP applications for setback and height variances as a result of designs which maximizes the permissible GFA and the new floor area exclusion area.
- 4) Track the change in energy consumption patterns based on construction methods used for the renovations or new builds.
- 5) Monitor the impact on RMOW infrastructure capacity.

In May 2012, the Building Department implemented a new tracking system to gather data regarding excluded floor area as part of the permit application process. The following Tables 1 through 4 provide the statistics gathered by the Building Department during the past 15 months (May 16, 2012 – August 31, 2013) for buildings that include excluded floor area as defined by the bylaw amendment in relation to the above noted items for monitoring.

ANALYSIS

RMOW Accommodation Inventory

As part of this review it is important to put the number of potential dwelling units affected by the Zoning Amendment for excluded floor area into context within the overall inventory of dwelling units in the RMOW. According to the 2010 Accommodation Inventory Summary, there were a total of 17,742 dwelling units within the municipality. Of this total, 3,066 (17.3%) were Single Family units and 664 (3.7%) were Duplex units. The remaining 14,012 (79%) dwelling units are in the form of townhouse, apartment or condominium building types. Therefore, only 3,730 (21%) of the total dwelling units qualify for the gross floor area basement area exclusion as they are detached or duplex dwelling unit types. For purposes of this report, Single Family units are referred to as "Detached" units and Duplex units are referred to as "Duplex".

Building Permits

During the monitoring time period, there were a total of 51 building permits for new detached units, with 42 (82.4%) of these applications containing excluded floor area on the plans. Table 1 shows there were a total of 67 building permits for new and renovated detached and duplex dwelling units which included excluded floor area on the building permits drawings. Of these, 65 permits (97%) were for new and renovations to detached dwelling units and only 2 permits (3%) were for renovations to duplex units.

Between May 16, 2012 and Aug. 31, 2013, the total number of building permits with excluded floor area represents approximately 0.4% of one percent of the Total Accommodation Inventory and approximately 2% of the dwelling units in the inventory which are eligible for the gross floor area exclusion.

TABLE 1 – Number of applications By Dwelling Unit Type and Year			
	Applications for new dwelling units with Excluded Floor Area	Applications for renovations with Excluded Floor Area	Total Applications with Excluded Floor Area
Detached Units – May 2012 – Dec. 2012	23	12	35
Detached Units – Jan. 2013 – Aug. 2013	19	11	30
Total Detached Units	42	23	65
Duplex Units – May 2012 – Dec. 2012	0	1	1
Duplex Units – Jan. 2013 – Aug. 2013	0	1	1
Total Duplex Units	0	2	2
Total no. of Units with excluded floor area	42	25	67

Table 2 shows the amount of actual floor area for all new and renovation applications which included excluded floor area by year and totals. It is important to note, the Excluded Floor Area authorized by Building Permit represents a combination of floor areas as permitted per the zoning definition of, a basement floor areas having an elevation at least 1 metre below the average level of finished ground adjoin the exterior walls of the building to a maximum of 125% of the floor area of the storey immediately above, crawl spaces, void spaces, parking areas, elevators, areas occupied by fixed machinery and equipment; and exterior wall thickness in excess of 6 inches (152 mm). Table 2 also shows the average additional total floor area permitted as per the Zoning amendment is approximately 22.3% per property.

Finally, Table 2 shows the statistical average of additional actual floor area per dwelling unit with excluded floor area was approximately 71 square metres. According to the Building Department reviews of each permit this floor area is approximately one half of a typical detached dwelling unit floor area, which was the approximate area the ISTFC had considered would resolve many of the illegal or unauthorized spaces in the municipality. This average is meant to be used as an indicator; however there is a range in actual physical amounts over the 67 applications.

TABLE 2 – Amount of floor area for all New and Renovation applications which included excluded floor area by Year	
	All applications with Excluded Floor Area (m ²)
Gross Floor Area permitted by Zoning Bylaw - May – Dec. 2012	10,830 m ²

	Gross Floor Area permitted by Zoning Bylaw – Jan. – Aug. 2013	10,387 m ²
1.	Gross Floor Area Permitted by Zoning Bylaw Total¹	21,217 m²
	Gross Floor Area authorized by Building Permits May – Dec. 2012	7,693 m ²
	Gross Floor Area authorized by Building Permits Jan. – Aug. 2013	8,800 m ²
2.	Gross Floor Area authorized by Building Permits Total²	16,763 m²
	Excluded Floor Area authorized by Building Permits May – Dec. 2012	4,778 m ²
	Excluded Floor Area authorized by Building Permits Jan. – Aug. 2013	4,675 m ²
3.	Excluded Floor Area authorized by Building Permits Total³	9,453 m²
	Total Floor Area by Building Permits May – Dec. 2012	12,471 m ²
	Total Floor Area by Building Permits Jan. – Aug. 2012	13,475 m ²
4.	Total Floor Area (2. + 3.) by Building Permits	25,946 m²
5.	Total amount of floor area built that would not have been permitted prior to the Zoning amendment for excluded floor area (4. Minus 1.)	4,729 m²
6.	Municipal overall average % of additional total floor area permitted with the Zoning amendment ((5. divided by 1.) X 100)	22.3%
7.	Average additional amount of floor area per dwelling unit with excluded floor area (4,729 m ² / 67 permits)	71 m²

Table 3 shows the “Total Excluded Floor Area authorized by Building Permits” figure (9,453 m²) from Table 2 above by subcategories of “excluded floor area” by year and totals. Table 3 indicates that as a portion of the “New Excluded Floor Area Total”, approximately one quarter (25.4%) of the actual floor area as defined by the category of “Unauthorized Excluded Floor Area Correct Total” corrected unauthorized spaces in detached and duplex units.

TABLE 3 – Total Excluded Floor Area authorized by Building Permits by type of excluded space by Year		
		Floor Area (m ²)
	Total Excluded Floor Area authorized by Building Permits (from Table 2 Line 3)	9,453 m²
	New Excluded Floor Area May – Dec. 2012	2,842 m ²
	New Excluded Floor Area Jan. – Aug 2013	3,057 m ²
1.	New Excluded Floor Area Total⁴	5,899 m²

¹ Figure represents the total floor area that is theoretically permitted under the various zones with the various permit applications if the lots were perfect with no restrictions.

² Figure represents the actual gross floor area figure as defined by the Zoning Bylaw that was shown on the building permit drawings under the various zones with the various applications.

³ Figure represents the excluded floor area shown on the building permit drawings.

⁴ Figure represents all new excluded floor area in the dwelling units which comply with the Zoning Bylaw definition for excluded floor area.

	Unauthorized Excluded Floor Area Corrected May – Dec. 2012	626 m ²
	Unauthorized Excluded Floor Area Corrected Jan. – Aug. 2013	871 m ²
2.	Unauthorized Excluded Floor Area Corrected Total⁵	1,497 m²
	Existing Excluded Floor Area originally defined as GFA May – Dec 2012	1,310 m ²
	Existing Excluded Floor Area original defined as GFA Jan. – Aug. 2013	747 m ²
3.	Existing Excluded Floor Area originally defined as GFA Total⁶	2,057 m²

Table 4 geographically locates the building permits with excluded floor area by neighbourhood within the municipality. To date, a wide variety of neighbourhoods are represented with the largest number of applications in the Baxter Creek, Rainbow, Whistler Cay, and Alta Vista neighbourhoods.

Table 4 Permits with Excluded Floor Area by Neighbourhood (May 2012 – August 2013)	
	No. of permits per Neighbourhood
Emerald	2
Baxter Creek & Rainbow	13
Alpine Meadows	4
Whistler Cay	9
Blueberry Hill	1
Nesters, White Gold & Spruce Grove⁷	4
Alta Vista, Lakecrest & Hillcrest	7
Brio, Sunridge & Horstman	5
Whistler Creek North & Nordic	4
Whistler Creek South	1
Millers Pond, Bayshores, Spring Creek & Kadenwood⁸	3

⁵ Figure represents the excluded floor area which was not on any previously approved building permit plans for the property.

⁶ Figure represents existing floor area in the various dwelling units which originally was part of the GFA definition but is now excluded floor area with the zoning amendment changes.

⁷ Parts of Whitegold, all of Cypress Place, Nicklaus North and Spruce Grove neighbourhoods not likely to have basement floor area exclusion applications due to floodplain and flood proofing construction requirements

⁸ Kadenwood neighbourhood covenant modification application in progress for 25 properties to allow for utilizing the GFA basement area exclusion definition in the design, however most properties have not submitted building permits at this time.

Nita Lake Estates	3
Stonebridge	6
West Side Road	4
TOTAL NUMBER OF PERMITS	67

Community Character Impacts

There was no set methodology or system put in place to examine how the neighbourhood form and character may be affected with the change in total permitted floor area (Gross Floor Area plus excluded floor areas) on detached and duplex lots.

The Building Department in their review of the permits estimates that over 85% of the permits for new homes that included excluded floor area, visually appear no larger in built form (massing) than the typical home built before the bylaw amendment allowing for the excluded area.

Development Variance Permits

Between May 16, 2012 and August 31, 2012, there were 19 development variance permit applications. Based on staff's review of the applications, council reports and issued permits, none of the requested variances had a bearing on excluded basement floor area for detached or duplex dwelling units, but were for traditional variance situations i.e. parcel setbacks for staircases, roof overhangs, hot tubs, deck encroachments, retaining walls and parking spaces.

Board of Variance (BOV) Applications

Between May 16, 2012 and August 31, 2012 there were ten BOV meetings with a total of 24 applications submitted. One application was for a design of a detached unit which required a height variance that if granted, would permit a larger excluded basement floor area from the gross floor area calculation than a design which complied with the permitted height requirements of the zoning. The Planning Department submitted an information report to the Board that they were of the opinion that the proposed height variance defeated the intent of the Zoning Bylaw. The Board granted the height variance at their meeting. Staff will continue to monitor BOV applications and report to Council if there are additional applications to the Board in the future of this nature.

Energy Consumption Patterns

As discussed in the section entitled "Infrastructure Impacts – Assumption and Analysis", certain types of infrastructure are primarily sensitive to changes in population (water use, sewer flows, transit use, etc.) while other types of infrastructure (gas and electrical systems) are mostly sensitive to increases in the building volumes. This latter category is a result of how much additional energy is needed to heat the bigger buildings.

Staff have assessed the aforementioned data from May 15th, 2012 through to August 31st, 2013 (15 months) to estimate the incremental energy consumption that is expected to be associated with the uptake of the new GFA exclusion bylaw. The method for estimating the incremental energy consumption was as follows:

Gross Floor Area Exclusion - Monitoring Report

Page 7

October 1, 2013

Incremental floor area ⁹ (m ²)	X	Estimated energy intensity of new floor areas (kWh/m ² /year)	=	Incremental energy Consumption (kWh/period)
4,729	X	80	=	378,320

As per the numbers above, an incremental 4,729m² of occupied floor space built to the current building code would be expected to consume approximately 120-140 kWh/m²/year in Whistler's climate¹⁰. As the incremental excluded space considered within this assessment is 'basement space' and may, or may not, be highly occupied, this assessment is based on an assumed energy intensity of the incremental space of 80 kWh/m²/year.

See the following table for more detail.

Estimated Incremental Annual Energy Consumption associated with NEW Excluded Spaces										
est % load	Electricity			Natural Gas			Total Incremental Energy Consumption per year			
	90%			10%						
Approved in	(kWh)	Cost (\$)	GHG (tCO2e)	Gas (GJ)	Cost (\$)	GHG (tCO2e)	GJ	kWh	\$	GHG (tCO2e)
2012 (8 months)	118,152	\$ 10,043	3.0	47	\$ 803	2.4	473	131,280	\$ 10,846	5.4
2013 (8 months)	222,336	\$ 18,899	5.6	89	\$ 1,512	4.5	889	247,040	\$ 20,410	10.2
16 month total	340,488	\$ 28,941	8.6	136	\$ 2,315	6.9	1,362	378,320	\$ 31,257	15.6
8 month average	170,244	14,471	4.3	68	1,158	3.5	681	189,160	15,628	7.8
annualized average	226,425	19,246	5.7	91	1,540	4.6	906	251,583	20,786	10.3

For reference, 251,583kWh/year is equal to the annual energy consumption of approx. 9.3 average single family/duplex homes in Whistler (~27,000 kWh/yr average consumption). This incremental energy consumption represents approximately a 0.1-% increase in annual residential energy consumption across the community, as well as an estimated 0.07% increase in residential GHG emissions (10.3 tonnes/year).

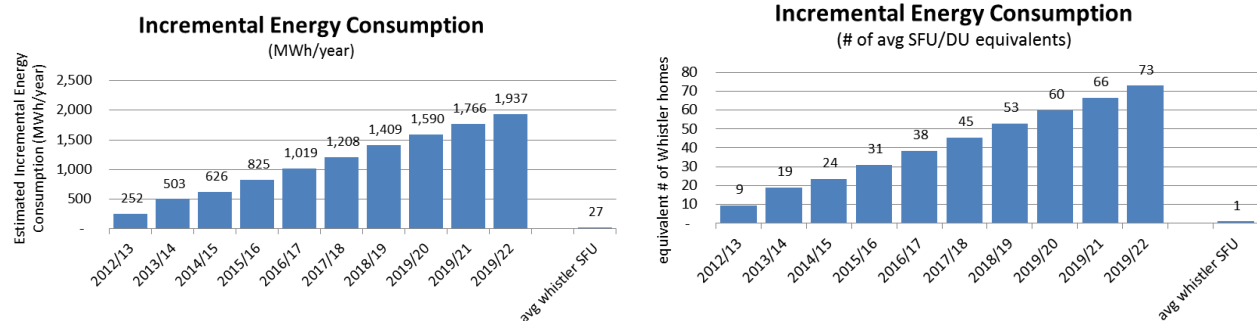
If approximately 3,100¹¹ m² of new floor area is permitted annually through the new GFA exclusions provisions (and assuming ongoing improvements to the energy efficiency requirements of the BC Building code over time), incremental energy consumption associated with the new space could be forecast as follows:

⁹ Previously existing GFA that was 'legitimized' under the new bylaw was not included in this calculation. Only newly built GFA that would not have been permitted under the previous GFA calculations was included within the energy estimates. In other words, only new floor area that was specifically permitted through the GFA exclusion bylaw (and would previously not have been permitted) was included in the calculation. This table reflects the cumulative impact of the first 16 months of bylaw activity (8 months of each 2012 and 2013)

¹⁰ Current Whistler homes average ~160-180 kWh/m²/yr (single family and duplex) – all energy consumed, regardless of source (i.e. gas + electricity).

¹¹ This is a conservative estimate as both the 2012 and 2013 sample years only included 8 months of permit activity.

¹¹ The annualized (12 month) incremental space predicted by current uptake levels.



Notwithstanding ongoing improvements to both building science technology and the BC Building Code¹², it would be expected that it would take approximately 10 years to cause a 1% increase in the energy consumption of the residential sector (versus baseline), and 14 years for the greenhouse gas footprint of the residential sector to increase by 1% beyond that which would have been expected without the incremental space described above.

Finally, it should be noted that the preceding energy assessment assumes that no non-permitted space would have been built in the absence of new GFA exclusion provisions. If some percentage (x%) of the new 4,729 m² would have been built regardless of existence of the GFA exclusion provisions, it could be contended that the illegal space would have consumed energy and as such the incremental energy consumption forecasted above would be decreased by the same percentage (i.e. by x%).

Infrastructure Impacts –Hypothesis and Monitoring

As directed by Council, an analysis of the projected infrastructure impacts resulting from this regulation change will be provided to Council within a two year window. This information report presents initial thoughts with respect to infrastructure impacts.

For considering potential impacts on infrastructure capacities, two types of development provided for by the zoning changes, may be distinguished. The first was to legalize already existing non-conforming spaces. The second, was the way in which these regulations are altering the form of dwelling construction within the community, now and into the future.

Staff's view is that the spaces that were already in existence, but are being legalized, are not creating new infrastructure capacity loads. They will create those same loads whether they are legal or not. The act of legalizing those spaces does not, in itself, create new loads, so the effect of those possible infrastructure impacts do not need further analysis as they impose no new incremental loads.

It is the creation of new spaces, directly attributable to the new regulation that is of interest for infrastructure management, now and into the future.

¹² Both accounted for within the associated assessment and forecast.

The new regulations permit the construction of buildings that have larger internal habitable volumes than if they were constructed in accordance with the superseded regulations. A key question that staff are attempting to address is “*do the larger volumes, resulting from the changes, necessarily result in more people in those buildings?*” This is an important question to address because there are generally two different types of infrastructure: 1) infrastructure that is primarily sensitive to population; and 2) infrastructure that is primarily sensitive to building volume.

Infrastructure Sensitive to Population	Infrastructure Sensitive to Building Volume
Water/Sewer	Gas
Transportation/Transit	Electricity – Space Heating
Hospitals/Health Care	
Libraries/Community Services	
Schools	

Those infrastructure elements in Column 1 above, are subject to added demand when populations increase. At this point, staff are uncertain as to whether the changes in the zoning regulations will result in any significant increases in population, in the short or long term. At this point, staff proposes a hypothesis that we can explore over the remaining monitoring period. That hypothesis is as follows:

“That the incremental increase in built volumes resulting from the new regulations do not significantly increase the population living within those larger volume dwellings”

If this hypothesis is proven correct, it can be concluded that there will likely be no significant impact upon all of those infrastructure elements listed in Column 1 above. Also, if proven correct, the focus of our infrastructure analysis can be directed to only those infrastructure elements shown in Column 2, which will be a much simpler exercise and elements not provided by the municipality.

However, if it is determined that the hypothesis is incorrect, and the incremental increase in built volumes is increasing the population which results in contributing to significant additional loads to the infrastructure elements shown in Column 1, a more comprehensive review of each infrastructure system shown in Column 1 will need to be conducted.

Staff believes our analysis of the hypothesis, in the remainder of the monitoring time period, should yield the results required to adequately understand how the regulatory change has affected infrastructure within our Resort Community.

BUDGET CONSIDERATIONS

There are no budget considerations.

SUMMARY

This report is the first monitoring report of the Zoning Bylaw Amendment during the two year trial period regarding amendments to the gross floor area exclusion definition. It presents a summary of building permit statistics, reviews of development variance permit and board of variance applications, community character impact analysis, and estimated impacts on energy consumption patterns to end of August 31, 2013. A detailed report will be presented to Council after the two year trial period ends in May 2014. At that time the effects on the resort community will be discussed in more detail regarding the various policy aspects and/or infrastructure impacts the zoning amendment to permit a larger basement excluded floor area from the Gross Floor Area calculation have had.

Respectfully submitted,

Robert Brennan MCIP RPP

PLANNER

for

Jan Jansen

GENERAL MANAGER OF RESORT EXPERIENCE



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: April 3, 2012

REPORT: 12-038

FROM: Resort Experience

FILE: RZ1044

SUBJECT: Gross Floor Area Exclusion – Zoning Text Amendments

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council give first and second reading to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012; and

That Council authorize the Corporate Officer to schedule a public hearing regarding to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 and to advertise for the same in a local newspaper; and further

That the effects of Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992 on the resort community and the illegal space issue be monitored and reviewed after a two year trial period as described in this report.

REFERENCES

Appendix “A” – Zoning Bylaw Amendment Bylaw No 1992, 2012

Appendix “B” – Illustrations of proposed Gross Floor Area exclusion area

Appendix “C” – Summary of Public Input Comments received up to March 5, 2012

Appendix “D” - Summary of Public Input Comments received March 6 – 24, 2012

Appendix “E” - Draft Building Permit Application Form

PURPOSE OF REPORT

This report presents a zoning amendment bylaw that proposes changes to the definitions of gross floor area, crawl spaces and void spaces resulting from the work of the Council-appointed Illegal Space Task Force. The bylaw, Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012, is presented for Council consideration of first and second reading and scheduling of a public hearing. A copy of the bylaw is provided in Appendix “A”. In summary the bylaw proposes to:

1. Permit basement floor areas to be excluded from the calculation of gross floor area for all detached and duplex dwelling buildings within the municipality. The basement floor area is to be a minimum of one metre below the average level of the finished ground of the exterior walls of the building, and the maximum area that may be excluded is 125% of the floor area of the storey immediately above.

2. Remove the ability to construct over height crawls spaces and void spaces and have them excluded from the calculation of gross floor area by registering a covenant prohibiting the use of such areas for any purpose. Such areas are provided for through the proposed basement floor area exclusion.
3. Permit a gross floor area exclusion for exterior walls that are thicker than 6" (152 mm) in support of energy efficiency and conservation.

DISCUSSION

The zoning amendment bylaw presented for Council consideration is proposed as a significant step towards addressing issues related to floor area constructed and occupied in residential buildings without permits and contrary to existing maximum permitted densities. The changes within the proposed bylaw seek to address such areas located within "basements" as defined within the bylaw, by excluding them from the calculation of gross floor area. Construction and use of non-permitted basement areas in single family and duplex dwellings has been identified by the ISTF as the most common situation and priority to address.

To provide fairness and equity, the basement exclusion is proposed to apply to all single family and duplex dwellings within the municipality, not just those dwellings that have currently non-permitted basement floor areas. Excluding basement areas from the calculation of gross floor area will enable potentially significant additional space for the benefit of all single family and duplex dwelling property owners.

As there is uncertainty as to how effective the proposed zoning amendment will be in having the owners of existing non-permitted spaces bring their property into compliance, as well as the potential impacts of the proposed changes on the community in general, it is recommended that the proposed zoning changes be subject to a two year trial period as described later in this report.

Background

On December 21, 2011, Council established a Task Force with a Terms of Reference to develop solutions to address issues related to the construction of non-permitted space throughout the municipality, and a time schedule that reflected this as a priority project for the municipality. The Task Force is comprised of four members of the Canadian Home Builders Association (CHBA) (to be appointed by the CHBA), three members of staff (Fire Chief, Manager of Building Department, and Planner) and a member of Council. The details of the Terms of Reference are in Administrative Report to Council No. 11-131.

On January 5 and 19, 2012, the Task Force met and began drafting a zoning bylaw amendment approach to address these spaces. The approach established was to focus on over height crawl spaces and void spaces and to enable such spaces to be legitimized by amending the zoning bylaw to provide a gross floor area exclusion for in-ground basements. It was also identified that this pertained primarily to single family and duplex dwellings.

Subsequently, consideration was given to which properties this exclusion should be applied. This was discussed at the January 26, 2012 Task Force meeting where two basic options were discussed. One was to broadly apply this exclusion across multiple single family and duplex zones (RS and RT zones) and the other was to provide the exclusion to specific properties targeting properties with existing non-permitted space through an "omnibus" zoning amendment. The two options were presented in detail for Council consideration on February 7, 2012 in Administrative

Report to Council No. 12-009. At this meeting Council supported proceeding with a broadly applicable floor area exclusion and to bring this approach forward for public input. Council also supported the direction for establishing this as a pilot project to be monitored and reviewed after a two year period.

On February 16, 2012 the Task Force met to establish the public input process and further discuss the zones to which the floor area exclusion would be applied. It was identified that additional zones should be considered beyond the RS and RT zones, to effectively capture all zones and properties with single family and duplex dwelling building types.

On March 2, 2012, a Public Open House was held at Millennium Place to present and obtain feedback on the proposed changes to the residential regulations. Approximately 100 people attended the Open House with the majority of the attendees being builders, contractors, designers, developers, real estate representatives and a few individual property owners and Strata Council representatives. Approximately 30 written comment sheets were submitted at the Open House and an additional 11 comment sheets were completed on-line by March 6th, 2012. The majority of the comments were supportive of the concept to exclude an in ground basement area from the GFA. A number of attendees and written submissions requested that the GFA exclusion be applied to all zones and not just the proposed RS and RT zones. In addition, comments were submitted on line up until March 6, 2012 to be summarized for the Task Force meeting on March 8, 2012. These comments have been compiled by each question on the comment sheet for Council's information and attached as Appendix C.

At the March 8, 2012 Task Force meeting, based on the feedback received, the committee further discussed the applicability of the floor area exclusion and to apply the exclusion to all single family and duplex dwelling building types, as opposed to specific zones. The municipal lawyer reviewed this approach and advised it was workable. However, the municipal lawyer advised it would increase the importance of considering the implications for all permutations of "detached dwelling" and "duplex dwelling" that there might be in the municipality. Whether these new rules for detached dwellings and duplex dwellings will be applicable to buildings on Land Use Contract (LUC) properties will depend on the wording of the individual LUCs or would require a discharge of the LUC and zoning of the properties. Staff advised the Task Force a report to Council would be prepared to present this approach and obtain Council direction.

On March 20, 2012, Administrative Report to Council No. 12-028 outlined the blanket aspect of the zoning bylaw amendment would be based on built form rather than by specific zones. Council endorsed the approach for the blanket zoning bylaw amendment being based on built form for all single family detached dwelling and duplex dwelling types.

Additional comments were submitted between March 5th and 23rd, 2012. These comments are attached as Appendix D for Council's information. Some comments supported the approach and some comments raised concerns specifically referencing housing affordability, energy consumption and the municipal emission reduction goals.

ZONING BYLAW AMENDMENT MODIFICATIONS

This section of the report outlines the changes to Zoning Bylaw No. 303 as proposed in Zoning Amendment Bylaw No. 1992, 2012 (Appendix A):

Gross Floor Area – Exclusion of basement floor area in Detached and Duplex dwelling buildings

Bylaw No. 1992, 2012 proposes a GFA exclusion for an in-basement floor area as defined in Appendix A and shown in example illustrations in Appendix B. The blanket amendment would apply to all detached dwelling and duplex dwelling buildings throughout the municipality, and specifically excludes a basement floor area “having an elevation at least 1 metre below the average level of finished ground adjoining the exterior walls of the building, to a maximum of 125% of the floor area of the storey immediately above”. This definition permits more of the ‘in-ground’ basement storey to be above grade than in most municipalities which exclude GFA for in-ground basements, but responds to the sloped topography and the existing over height crawl spaces and walk-in basements typical in many RMOW neighbourhoods.

This amendment is intended to provide an incentive for property owners to apply to legitimize illegal spaces, improve the safety of these spaces, and increase clarity of the permitted use of such spaces across the community.

In addition, these changes and the resulting streamlining of the process to legitimize such space are expected to support the local building industry and property owners as they become familiar with the proposed change in regulations.

Crawl Space and Void Space Definitions – Elimination of covenanted over height spaces

Bylaw No. 1992, 2012 proposes amendments to the definitions of Crawl Space and Void Space to eliminate the option for covenanting over-height crawl spaces and void spaces. In the past many owners have incorrectly viewed a covenanted over height crawlspace or void space as an area to develop and occupy. The proposed basement floor area exclusion would enable such spaces to be legally occupied subject to building permit requirements. Any crawl spaces and void spaces that may be proposed in addition to the basement gross floor area exclusion would be subject to a maximum height of 1.5 metres.

Gross Floor Area – Exclusion for wall thickness

Bylaw No. 1992, 2012 proposes a GFA exclusion for wall thickness as outlined in Appendix A. The purpose of the proposed change to the GFA exclusions definition regarding wall thicknesses is to remove an existing regulatory barrier to the design and construction of wall assemblies that exceed the minimum insulation levels required by BC Building Code¹. The current RMOW definition of ‘gross floor area’ calculates GFA from the outside surface of exterior walls, and as such presents a disincentive to the construction of thicker wall assemblies that are designed to achieve increased insulation performance (R-value). This is due to the fact that almost all cost-effective techniques for achieving higher R-value walls (i.e. greater than the code required R20) require a wall thickness beyond the current 6” code standard.

The practice of measuring GFA from the outside surface of these thicker wall assemblies means that by definition, the interior useable portion of the building is reduced (e.g. with the current definition, installing 4” of additional exterior wall thickness for an average 325 sq.m (3,500 ft²) house would reduce useable interior space by approx. 17 sq.m (185 ft²)). This reduction of interior

¹ Note that the City of Vancouver has already adopted a similar policy within their Building Bylaw – Floor Space Exclusion to Accommodate Improved Building Performance (Envelope and Thermal Insulation).

space presents a significant barrier to the design and construction of higher performance wall assemblies and as such, it is recommended that the definition be amended as proposed in order to promote increased energy efficiency, decreased utility costs and reduce GHG emissions across the community.

Gross Floor Area Definition – Restructured

Bylaw No. 1992, 2012 contains an amendment to restructure the definition of Gross Floor Area (GFA). The current definition for gross floor area describes how GFA is measured and what floor area is included, but it also contains a series of GFA exclusions. For improved clarity of the GFA definition all exclusions from the GFA calculation are included under a new subsection of General Regulations as shown in Appendix A. The General Regulation section of the Zoning Bylaw contains other exclusions or exceptions with respect to other parts of the Bylaw. It is recommended that the GFA definition be restructured as proposed for the purpose of clarity and readability of the Zoning Bylaw.

POLICY CONSIDERATIONS

Official Community Plan Policies

The municipality's existing Official Community Plan (OCP) provides policies related to the location, amount and pattern of land use and development; an evaluation methodology for proposed zoning amendments; and guidelines regarding development permit issues such as; form and character of development, protection of development from hazardous conditions and protection of the natural environment.

Residential Development

OCP Sections 4.1, 4.2 and 4.13 have policies relating to Residential and Commercial Accommodation and Resident Housing and Section 4.13 provides criteria on how proposed rezoning amendments or developments will be evaluated.

OCP Section 4.1 focusses on accommodation capacity of the community as measured in bed units. Under the current bed unit formula for determining servicing and facility requirements for one person, there is no limiting factor to the floor area size for detached dwelling and duplex dwelling units. Therefore, regardless of the floor area size of a detached dwelling or a duplex dwelling unit, it will only be considered to generate a 6 bed unit capacity for detached dwellings and 12 bed units for duplex units (6 units per dwelling unit). Therefore, if an exclusion of basement floor area from the GFA calculation is permitted this will not change the bed unit calculation for the property.

In Section 4.2, Resident Housing, the background statement indicates a desirability that a range of housing types and prices be provided so that residents can find affordable, suitable housing. However, the policy also acknowledges the Municipality favours approaches that involve minimal intervention and restriction. Over time, this proposed blanket amendment may result in additional legitimate rental units being created adding to supply and diversity of rental accommodation.

Municipal Infrastructure Capacity

The proposed zoning bylaw amendment allows for potential increases in the total developed floor area within many residential neighbourhoods. This may result in unknown impacts to infrastructure. There is uncertainty regarding how much more floor area may be developed as a result of the blanket zoning amendment for GFA exclusion, how this floor area will be used and how that may affect demand for water, fire protection, sewers, storm sewer and energy systems.

Many elements of the RMOW infrastructure systems have been designed and upgraded to incrementally provide for the municipality's increasing development capacity. Many of these systems do not have surplus capacity and the uncertainty over increased demand associated with potential increases in floor area for many parts of the community has been identified as a concern. However, the proposed zoning changes are supported with on-going monitoring and review over the two year pilot period.

Overall Patterns of Development of the Community and Resort

The proposed zoning bylaw amendment would allow additional floor space to be developed for single family and duplex properties throughout the municipality, as illustrated in the examples in Appendix B. This may contribute to generally larger building mass over time. However, this will be moderated by site conditions,

Views and Scenery

If an owner chooses to renovate or build a new detached or duplex dwelling utilizing the proposed GFA exclusion floor area as part of the building mass, this may change views and scenery within existing neighbourhoods. For the majority of the single family and duplex properties, the controlling regulations are the site coverage, building height and setback regulations. Development permit guidelines are not authorized for these dwelling types under provincial legislation.

In some cases there are further design guidelines and controls that influence massing and form and character and associated impacts on views and scenery. These have been established through registered design covenants, Land Use Contracts, and development permit guidelines for multi-family development including single family and duplex dwellings and would continue to apply and be reviewed on an individual basis.

Development Permit Guidelines

Some detached and duplex dwelling buildings in Multiple Residential Zones are located on lands designated as a development permit area under several categories, including design objectives for form and character of multi-family developments, protection of the natural environment or protection of development from hazardous conditions. Any proposed changes to these residential buildings and site layout are subject to development permit approval and must be in accordance with the guidelines specified for the various OCP Development Permit Area designations.

Most detached and duplex dwelling buildings are in Single Family and Two Family Residential Zones and do not require development permit approval. The Local Government Act specifically does not permit development permit areas and guidelines to be established for these types of development. Therefore, for most detached and duplex buildings if a Building Permit application meets the Zoning Bylaw and BC Building Code requirements, and there are no variances or other

land use regulations governing the property (i.e. design covenants, land use contracts, builders' covenants, strata bylaws) they must be issued a Building Permit.

Community Energy and Emission Reductions

In August 2010 Council adopted Greenhouse Gas Emission targets and other energy and water conservation policy and action statements into the OCP. Specifically, the Municipality has established the same ambitious GHG emissions reduction target as the Provincial government to reduce the 2007 emissions levels by 33 percent by 2020. This will require a significant effort toward overall community energy efficiency for both new and renovations of existing buildings.

Any change to the zoning bylaw that increases the currently permitted gross floor area of any building may both result in increased energy use, as well as associated greenhouse gas emissions. It is possible that owners will integrate innovative building systems to reduce their overall energy consumption and emissions footprint, but there is no means within current legislation or regulations to require that energy efficiency is maximized and total consumption is reduced at the building permit stage. If this is not the case, increases in floor area and associated increases in energy use may move the municipality away from its energy and emission targets. The extent of this is uncertain.

Variances

Property setback, site coverage and height regulations have been identified as important controls to mitigate potential impacts on existing neighbourhood character, resulting from additional building mass particularly on smaller lots. Issues related to variances to these controls are discussed as follows.

Development Variance Permit (DVP)

With DVP Applications, Council is in direct control and may refuse to allow variances for height, property setbacks and site coverage where the perceived impacts of building mass on smaller lots are excessive. However, owners may still submit an application and present their rationale to Council on a case by case basis for why their variances should be granted.

As part of the two year pilot program, staff proposes to monitor DVP applications for proposed variances that create a larger building mass that are substantially affecting the use and enjoyment of adjacent lands in existing neighbourhoods. Council may also establish a general policy for its consideration of DVP applications.

Board of Variance (BOV)

The Local Government Act (LGA) Section 899 states a municipality that has adopted a Zoning Bylaw must establish a Board of Variance (BOV) as outlined in the Act. The BOV is an independent body with a limited scope of review with respect to variances relating to "undue" hardship to a property owner. However undue hardship is not specifically defined in the LGA in order for such Boards to review circumstances in each municipality on their own merit and context. Given the BOVs independent nature, staff and Council are reliant on the LGA Section 901(2) (c)

that, in the board's opinion, they would not approve variances that "substantially affect the use and enjoyment of adjacent land" or "defeat the intent of the bylaw".

Staff reports to the BOV may provide recommendations concerning the proposed variances. However, the Board is not bound by these recommendations and may act unilaterally as authorized under LGA Section 901 (2)(c). Finally, as outlined in Section 901 (8) of the LGA, a decision made by the BOV is final. Such decisions may be challenged legally, but would only be overturned if determined to be unreasonable.

Whistler 2020 Analysis

Whistler 2020 is the municipality's overarching long term strategic plan for Whistler's future. This plan describes what Whistler aspires to be in the year 2020: the values, sustainability principles, vision, priorities and directions that define success and sustainability for the resort community. Specific policies that have been recognized and considered pertinent to the proposed rezoning are listed below:

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	Clarification of the use of the existing floor space and future new excluded floor space may improve the return on capital invested by property owners.
Economic	A skilled workforce supports the local economy, and the local economy supports the skilled workforce.	Amendments may lead to employment for local builders to help property owners to obtain appropriate permits.
Resident Housing	Residents enjoy housing in mixed-use neighbourhoods that are intensive, vibrant and include a range of housing forms.	Amendments may lead to a diversity of the housing forms in the various neighbourhoods.
Built Environment	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The potential for increased floor area may have associated increases in energy demand. Renovations and new builds may utilize newer technologies and materials for completing these spaces.
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting views and evoking a dynamic sense of place.	Two year monitoring program to evaluate changes in resort community character and impacts on views or attractiveness of designs.
Resident Housing	Developed areas are designed and managed to be sensitive to the surrounding environment	Two year monitoring program to evaluate impacts on surrounding environment
Built Environment	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The potential for increased floor area may have associated increases in energy demand. Renovations and new builds may utilize newer technologies and materials for completing these spaces.

Between April 2010 and October 2011 the municipality held a series of open houses with the public, focus groups and Council to develop updates to the goals, objectives and policies to be included in a new Official Community Plan (OCP) with respect to residential development, economy, community experience and community design. Council is currently reviewing the proposed OCP document in Bylaw No. 1983, 2011 and will determine if revisions are required and when it will proceed to a Public Hearing. Until the draft OCP in Bylaw No. 1983, 2011 is adopted; the existing OCP and its amendments are in effect and used to guide rezoning application with respect to land use development decisions.

IMPLEMENTATION

If the proposed zoning bylaw amendments are adopted there are implementation requirements to understand and put in place.

Monitoring 2012-2014

As part of the two year pilot program the following issues should be monitored:

- 1) Track the number of detached and duplex buildings submitted and obtaining proper permits.
- 2) Track the amount of excluded GFA in basement floor areas.
- 3) Monitor the number of DVP applications for setback and height variances as a result of designs which are maximizing the permissible GFA and the new floor area exclusion.
- 4) Track the change in energy consumption patterns based on the construction methods used for the renovations or new builds.
- 5) Monitor the impact on RMOW infrastructure capacity.

An annual report will be prepared for Council and additional reports as necessary.

Building Bylaw Amendment

The Building Department has begun implementing a process for administering the legalization of existing over height crawlspaces. To bring properties into conformance with the Zoning and Building Bylaws a building permit will be required for the illegal spaces. A Building Permit Application must be submitted to the RMOW documenting all improvements made to the property that meet the GFA exclusion. A draft example of the modified BP application form is attached as Appendix E. A full plan review will be undertaken by Municipal staff and a building permit will be issued for the work. The owner of the property (or his/her agent) will book a building inspection with the Municipal Building and Plumbing Inspector to review conditions on site.

It is anticipated that improvements made to many of the homes will have had work covered that would ordinarily require a municipal inspection, making it difficult for the RMOW to issue an unconditional Occupancy Permit. To bring closure to these files the RMOW is working with Municipal Lawyers to draft a Building Bylaw Amendment which will permit conditional occupancy when it can be demonstrated that fire, health and life safety requirements in the illegal spaces have been met.

The Manager of the Building Department has had discussions with interested parties and as part of the implementation process a meeting with stakeholders (Real Estate Community, CHBA) will be arranged after the public hearing to begin outlining the proposed regulatory process.

LEGAL REVIEW

The draft bylaw was reviewed by RMOW lawyer for consistencies with best practices for bylaws and is supported in its' current draft form. Council can modify the bylaw however time would be required for an additional legal review prior to the bylaw proceeding to a Public Hearing.

BUDGET CONSIDERATIONS

It has been necessary to have legal reviews undertaken of the proposed Zoning Bylaw amendments. This will be covered by less than \$5,000 and will be covered by the Task Force's budget.

COMMUNITY CONSULTATION

In addition to the Public Open House held on March 2, 2012, there is a statutory requirement for public input for a zoning amendment through a Public Hearing. For amendments which affect more than 10 parcels, the LGA requirements and municipal practice for notification are ads in the newspaper and the RMOW website, no individual mail outs to property owners is required. The public may submit their comments on the proposed zoning amendment for review by staff and Council up until the close of the Public Hearing.

STAFF COMMENTS AND RECOMMENDATION

Throughout this report staff has made extensive comments on the many municipal considerations that pertain to the proposed zoning amendments. After taking into account the work of the Task Force, input received to date and staffs review of the proposed changes, staff recommends the draft bylaw proceed to a public hearing.

SUMMARY

This report presents Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012 for Council consideration and recommends:

1. That Council considers' giving first and second reading to Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992, 2012; and further
2. That Council authorizes the Corporate Officer to schedule a public hearing regarding Bylaw No. 1992, 2012 and to advertise for same in a local newspaper.
3. That the effects of Zoning Amendment Bylaw (Gross Floor Area Exclusion Amendments) No. 1992 on the resort community and the illegal space issue be monitored and reviewed after a two year trial period as described in this report.

Respectfully submitted,

Robert Brennan, MCIP
PLANNER
And
Mike Kirkegaard
MANAGER OF PLANNING

For

Jan Jansen
GENERAL MANAGER OF
RESORT EXPERIENCE

RESORT MUNICIPALITY OF WHISTLER

ZONING AND PARKING AMENDMENT BYLAW (Gross Floor Area Exclusions) NO. 1992, 2012

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

WHEREAS Council may, in a zoning bylaw pursuant to Sections 903, 904 and 906 of the *Local Government Act*, R.S.B.C. 1996, c.323, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zone, regulate the use of land, buildings and structures within the zones, require the provision of parking spaces and loading spaces for uses, buildings and structures, and establish different density regulations for a zone, one applicable to the zone generally and the other to apply if conditions are met;

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

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (Gross Floor Area Exclusions) No. 1992, 2012"

2. Zoning and Parking Bylaw No. 303, 1983 is amended by:

(a) Deleting the definition of "gross floor area" in Section 2 - Definitions and replacing it with the following:

"gross floor area" means the total area of all floors in all buildings on a parcel, measured to the outside surface of the exterior walls of the building including stairwells, basements and cellars but excluding areas specified in subsection 25 of Section 5.,"; and

(b) Deleting the definition of "crawl space" in Section 2 - Definitions and replacing it with the following:

"crawl space" means any floor area having less than 1.5 metres of clearance between the underside of a roof or floor system above and a ground floor slab or ground surface below;"

(c) Deleting the definition of "void space" in Section 2 - Definitions and replacing it with the following:

"void space" means any floor area having less than 1.5 metres of clearance between the underside of a ceiling, roof or floor system above and the upper surface of a floor system below;"

(d) Adding the following to Section 5 – General Regulations as subsection 25:

"25 Gross Floor Area Exclusions

The following are excluded from gross floor area calculations:

25.1 For detached dwelling and duplex dwelling buildings:

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

- b) crawl spaces;
- c) void spaces;
- d) parking areas;
- e) elevators;
- f) areas occupied by fixed machinery and equipment; and
- g) exterior wall thickness in excess of 6" (152mm).

25.2 For all other buildings,:

- a) crawl spaces;
- b) void spaces;
- c) parking areas;
- d) elevators;
- e) areas occupied by fixed machinery and equipment;
- f) exterior wall thickness in excess of 6" (152mm);
- g) garbage and recycling facilities – up to 20m² – except for those located in single family and duplex dwellings; and
- h) bicycle storage facilities – up to 8m² per dwelling unit – except for those located in single family and duplex dwellings.

3. If any section or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Given first and second reading this __ day of _____, _____.

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

Given third reading this __ day of _____, _____.

Approved by the Minister of Transportation this __ day of _____, _____.

Adopted by the Council this __ day of _____, _____.

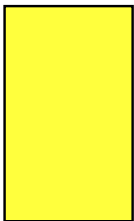
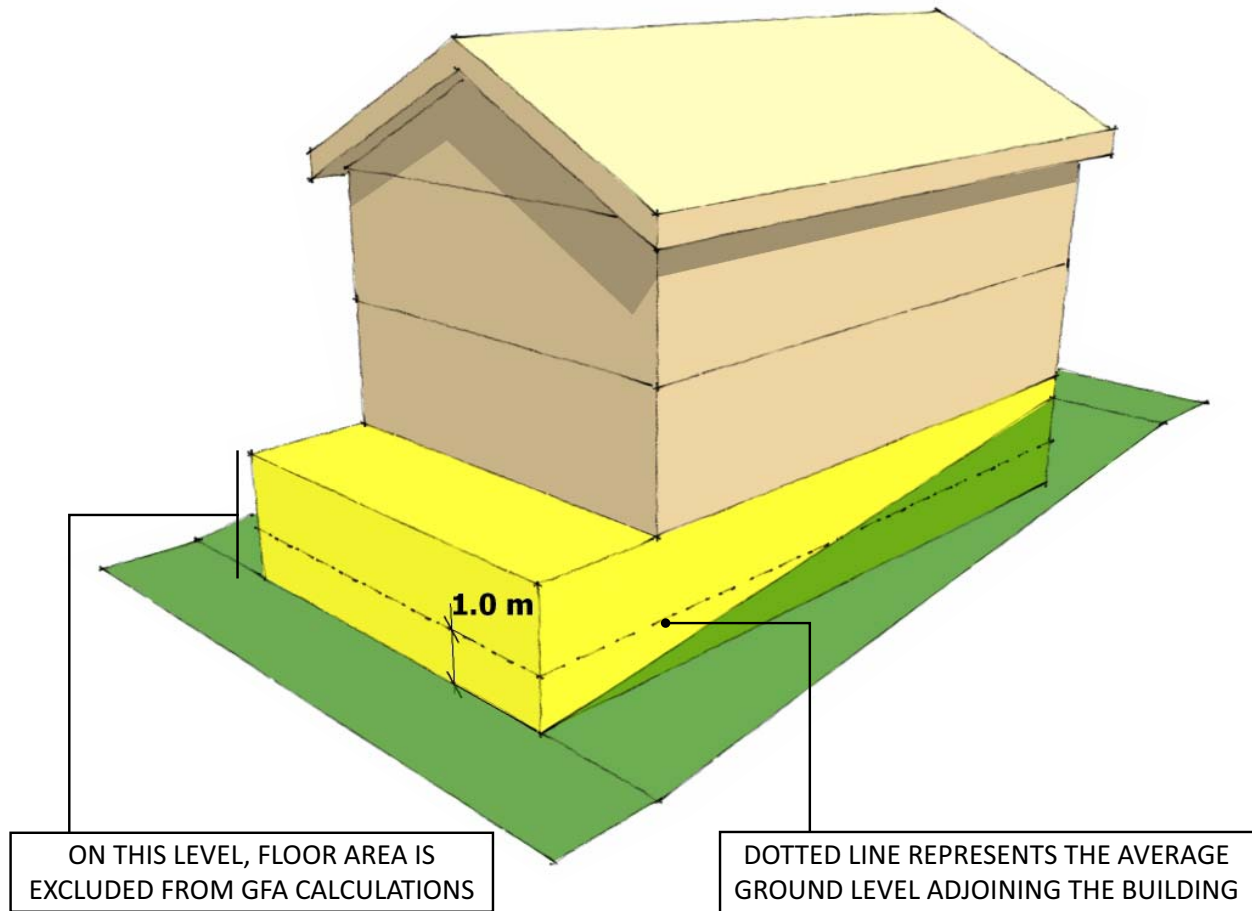
Nancy Wilhelm-Morden,
Mayor

Lonny Miller,
Corporate Officer

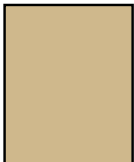
I HEREBY CERTIFY that this is a true
copy of "Zoning Amendment Bylaw
(Gross Floor Area Exclusions) No. 1992,
2012"

Lonny Miller,
Corporate Officer

PROPOSED GROSS FLOOR AREA EXCLUSION: **IN-GROUND BASEMENT**



AREA IN YELLOW REPRESENTS THE IN-GROUND BASEMENT FLOOR AREA DEFINED WITH AN ELEVATION AT LEAST 1 METRE BELOW THE AVERAGE LEVEL OF FINISHED GROUND ADJOINING ALL EXTERIOR WALLS OF THE BUILDING.



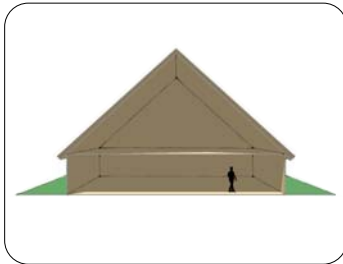
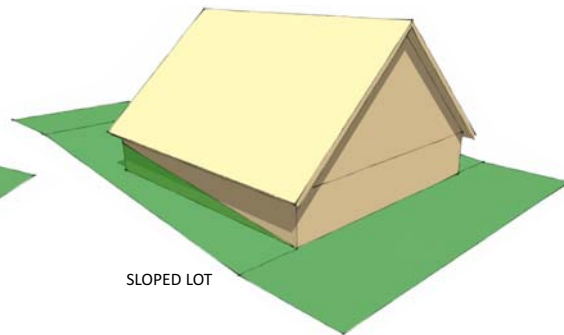
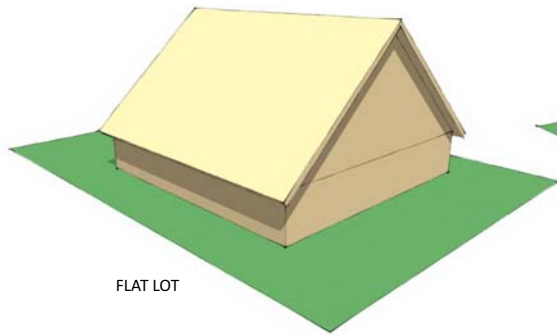
AREA IN BEIGE IS THE AREA CONSIDERED AS GROSS FLOOR AREA PER THE EXISTING ZONING BYLAW DEFINITION.

NOTE: ALL OTHER ZONING REGULATIONS STILL APPLY, FOR EXAMPLE, BUILDING HEIGHT, SETBACKS AND PARKING REQUIREMENTS.

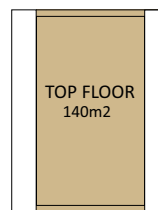
NOTE: PERSPECTIVE DRAWINGS FOR DISPLAY PURPOSES ONLY.

TWO STOREY DWELLING WITH VAULTED SPACE

CURRENT ZONING



14m



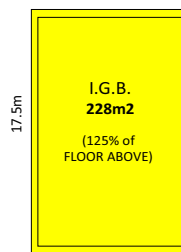
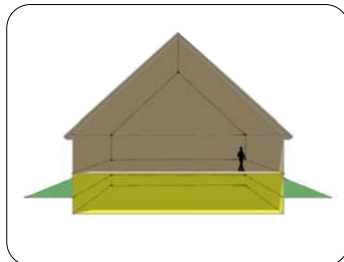
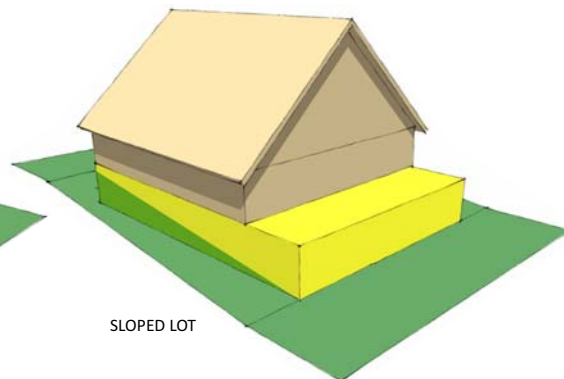
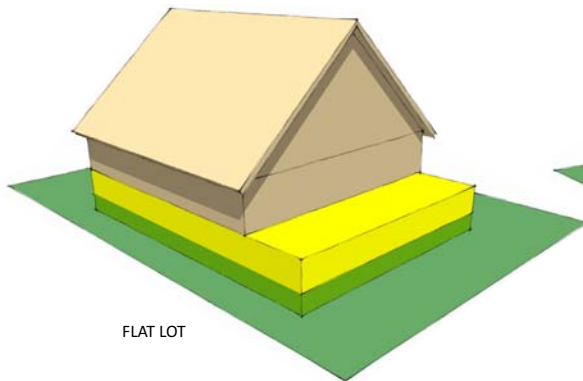
13m

10m

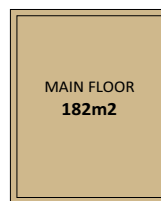
TOTAL AREA = GROSS FLOOR AREA (GFA)
= MAIN FLOOR + TOP FLOOR
= 182m² + 140 m²
= **322m²**

NO GFA EXCLUSION

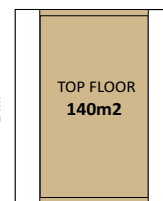
PROPOSED GFA EXCLUSION



13m



13m



14m

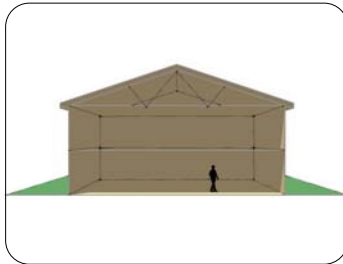
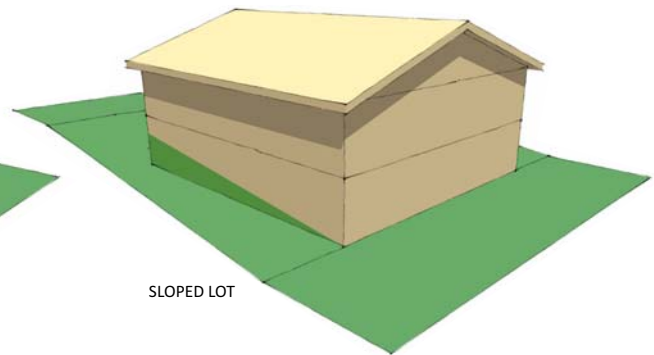
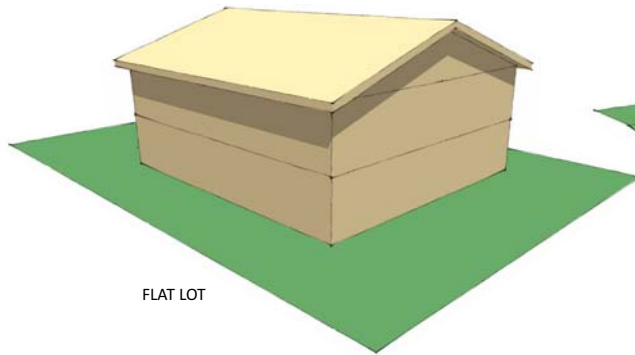
10m

TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + MAIN FLOOR + TOP FLOOR
= 228m² + 182m² + 140 m²
= **550m²**

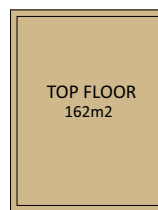
IN GROUND BASEMENT EXCLUSION

TWO STOREY DWELLING WITH TRUSS ROOF

CURRENT ZONING



13.5m



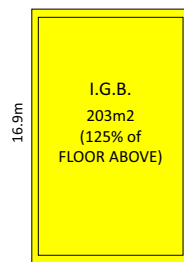
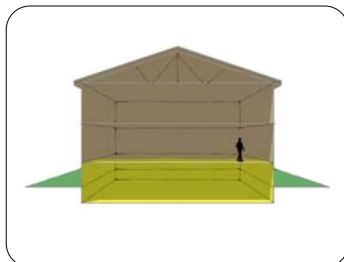
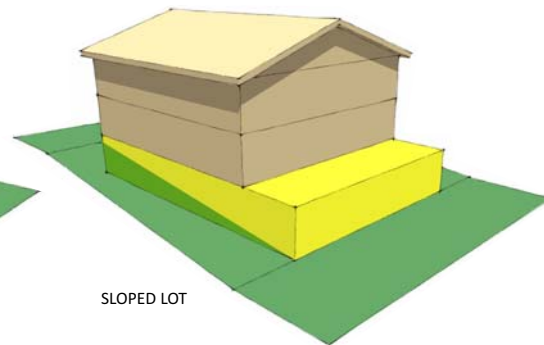
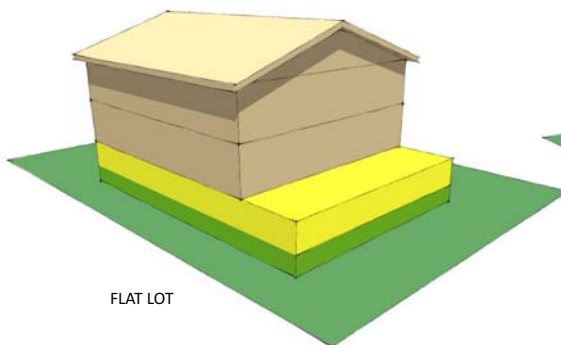
12m

12m

TOTAL AREA = GROSS FLOOR AREA (GFA)
= MAIN FLOOR + TOP FLOOR
= 162m² + 162 m²
= 324m²

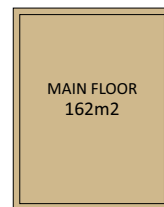
NO GFA EXCLUSION

PROPOSED GFA EXCLUSION

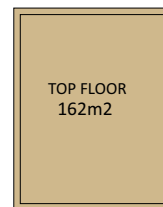


16.9m

12m



12m



13.5m

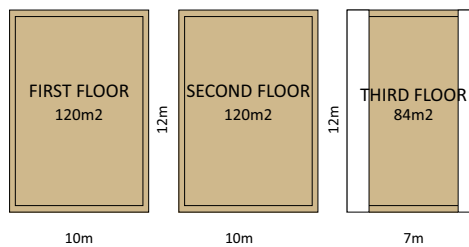
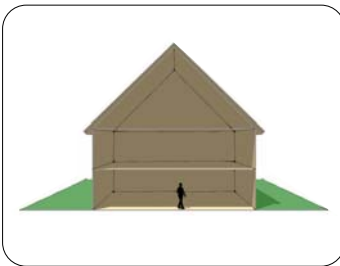
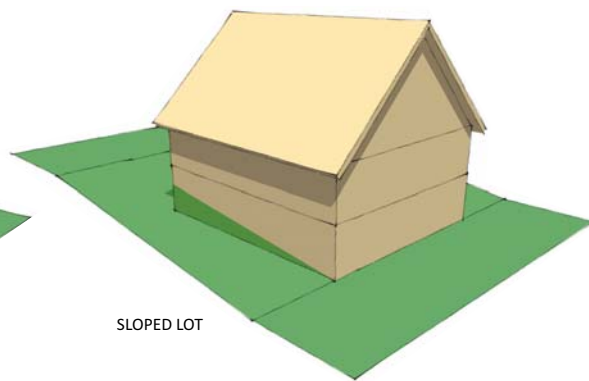
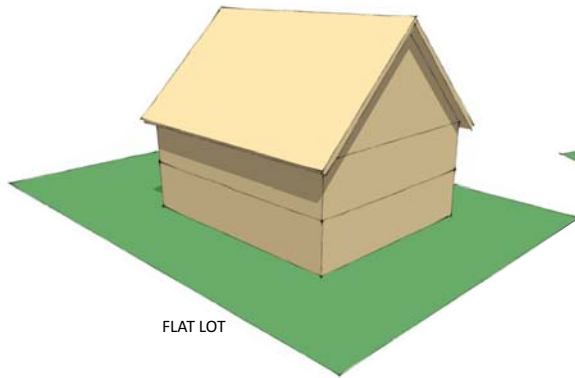
12m

TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + MAIN FLOOR + TOP FLOOR
= 203m² + 162m² + 162 m²
= 527m²

IN GROUND BASEMENT EXCLUSION

THREE STOREY DWELLING WITH VAULTED SPACE

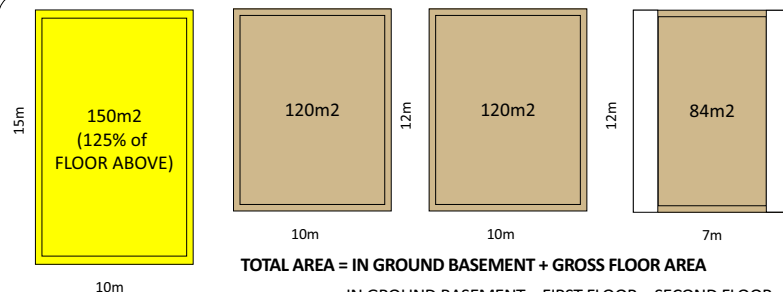
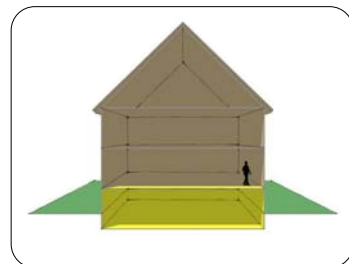
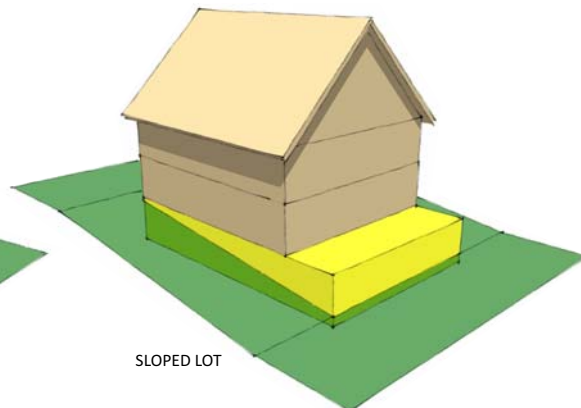
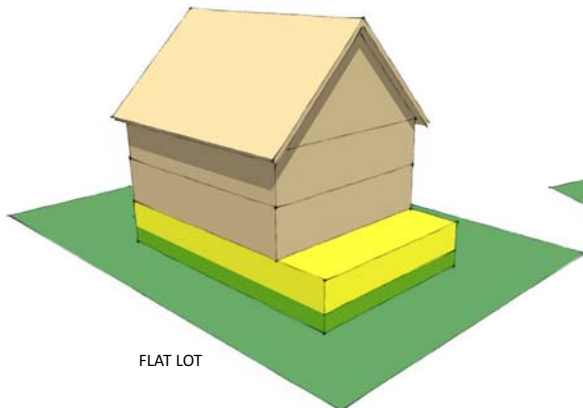
CURRENT ZONING



TOTAL AREA = GROSS FLOOR AREA (GFA)
= FIRST FLOOR + SECOND FLOOR + THIRD FLOOR
= 120m² + 120 m² + 84m²
= 324m²

NO GFA EXCLUSION

PROPOSED GFA EXCLUSION



TOTAL AREA = IN GROUND BASEMENT + GROSS FLOOR AREA
= IN GROUND BASEMENT + FIRST FLOOR + SECOND FLOOR + THIRD FLOOR
= 150m² + 120m² + 120 m² + 84m²
= 474m²

IN GROUND BASEMENT EXCLUSION



THE RESORT MUNICIPALITY OF WHISTLER

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FAX 604 935 8109

OPEN HOUSE COMMENT SUMMARY – MARCH 2, 2012 POTENTIAL ZONING CHANGES TO RESIDENTIAL FLOOR AREA REGULATIONS

1. Do you have any comments on the overall direction of the proposed zoning changes?

- ☐ This is a step in the right direction.
- ☐ Burdening local full time residents with yet even more taxes will further erode the sustainability of our community. Instead of looking to skim the locals, tax non-resident investors or focus on cost cutting and more efficient management. Please abandon the idea altogether and raise funds by innovating instead, even more taxation is the oldest trick in the book and it never works to the favor of the public, nor to the politicians who will be looking for votes at the next election. Everyone can see that the end story would be taxing non-conforming spaces, and everything else about safety etc., is just the typical theatrical front that always accompanies such changes. We have all seen it again and again and we are sick of it.
- ☐ Logical and pragmatic direction. Will help property values and give new growth to Whistler and ensure Whistler is competitive.
- ☐ I am very glad to see that a solution is being proposed.
- ☐ I support the overall changes proposed.
- ☐ I think it is about time and a step in the right direction.
- ☐ I think it is a good step in the right direction.
- ☐ Since many of houses already have these illegal spaces, changes are good and needed.
- ☐ The task force is definitely moving in the right direction. They should continue to work towards legalizing more spaces.
- ☐ I think that it can only be a positive move and will give people a definite direction on what is achievable.
- ☐ I approve of the zoning changes.
- ☐ Good work guys!
- ☐ I think this is a move in the right direction however there are other areas within the overall gross floor area that should be considered, i.e. space over the garage, under eaves etc.
- ☐ I am very happy the RMOW is finally making improvements to this very important issue.
- ☐ Good job!
- ☐ It is a great idea and about time. Recognizes the realities of buildings in Whistler.
- ☐ Re-inspect every home!!
- ☐ They seem very positive.
- ☐ It's been an issue for a long time and it's great that you are dealing with it.
- ☐ A good step in the right direction.
- ☐ Make it fair to all parties. Including Rainbow. Why different rules for White Gold, Alpine, Emerald, Rainbow. FAIR to everybody or DON'T do it at all.
- ☐ This is certainly a step in the right direction. Townhomes next?
- ☐ Yes, fully support this direction.
- ☐ Makes logical sense to permit these proposed changes. Fully support it.
- ☐ I think this is a positive approach to attempting to deal with this problem.
- ☐ It seems to be a very good start. It is simple in concept.
- ☐ On the right track.



- I think this is a good first step and well overdue.
- Great to get this done – sooner the better. Please get started happening as soon as possible.
- No comment.
- I like them!
- This is good.
- Overall direction is excellent.
- I agree with proposal on the table.
- Positive initiative, from a safety aspect and putting all / most residents on a level playing field.
- Building height – I know you have shown finished grade – but I think there could still be issues with “fudging”. I would think that the over garage and in-fill would present more issues.
- This needs to be immediately instated/amended.
- Looks great – congratulations to the team!
- Headed in the right direction.
- Yes, absolutely this is the right direction to be heading. I look forward to seeing the illegal spaces committee continuing to work towards legalizing as many illegal spaces as possible.
- I agree that we should be working to legalize many of the existing non-conforming spaces. The current approach of the past decade clearly did not work. Let people build the houses they want!
- Are you going to prosecute those that do not come forward?



2. Do you have any comments on the proposal to exclude basement-like floor areas from the zoning definition of Gross Floor Area? Any comments on the allowances and definitions being proposed?

- ☐ Volume/ height limits and setbacks are enough control. Larger lots should allow larger homes than current.
- ☐ This is a logical starting point and should remedy a large percentage of the issue.
- ☐ This is a good 1st step in addressing a chronic issue of non compliance in Whistler.
- ☐ I support the basement area proposal.
- ☐ It is fantastic that basements are going to be excluded for the total GFA calculations.
- ☐ As long as no impact of exposed building volume and scenery between neighbours, owner should have freedom of use of basement.
- ☐ The definitions are very clear, and I support their recommendations.
- ☐ It all seems fair enough to me.
- ☐ No comments.
- ☐ With the above in mind I feel that the overall height & setbacks should be factored into the calculation to also convert the above areas into legal space as well as the crawl spaces.
- ☐ I approve strongly the proposed change to exclude basements from GFA.
- ☐ No comments.
- ☐ Conform to existing codes.
- ☐ Good idea.
- ☐ This is a good start to solving the problem. If a house meets its setback & height restrictions and safety requirements of current zoning square footage should be fine.
- ☐ Makes sense.
- ☐ Well I think the basement like area should go in. It should get taxed. Therefore allow the extra GFA.
- ☐ Only that I do wish to see this take place. Long overdue.
- ☐ What limitations are placed on a property owner to manipulate the average finished grade of the lot?
- ☐ No comment.
- ☐ In agreement.
- ☐ This is a great benefit for lots on slopes; flat lots (particularly those that are impacted by flood level issues) are not addressed. I would hope that something to legitimize extra space issues in these areas is part of this.
- ☐ Should do all spaces now. The exclusion of strata or RS residential zones should be dealt with.
- ☐ This may impact parking requirements, e.g. if 4 bedrooms were added. Should be measured from "natural" grade rather than "finished grade". Not to affect massing/building height max.
- ☐ The proposed changes make sense.
- ☐ No comment.
- ☐ Fully approve.
- ☐ My belief would be that if you can construct within the setbacks & height restrictions it should be allowed. Basements underground should be allowed.
- ☐ Excellent compromise.
- ☐ Why go there?
- ☐ No comment.
- ☐ It's great!



- This is a very good start, and as proposed it makes sense. I believe this is a positive step.
- The definition seems to be very inclusive to help a broad range of property owners. I agree with what is being approved / proposed.
- Is this just first attempt at bringing illegal spaces into compliance? Will there be more?



3. Do you have any questions or comments on the proposed zones that these changes would apply to (see map)?

- ☐ This is a start but a good one and the multifamily and other zones should be included as soon as possible.
- ☐ I'm assuming existing homes would be grandfathered and future builds would benefit from the new code. Correct?
- ☐ I think all zoning including LUC should be included, why limit some areas & not others?
- ☐ RTA11 has lots that seem to have non-conforming space so these areas should be included to legalize what's already built.
- ☐ No comment.
- ☐ It would be better if information was clearer on the zones.
- ☐ No questions.
- ☐ Crawl space calculation does not apply to all neighborhoods. i.e. Nicklaus North, White Gold, Tapleys, etc. – non-inhabitable crawl spaces. *All neighbourhoods should benefit from this rezoning proposal.
- ☐ If you already have below grade development that is part of your allowable building can that be applied elsewhere?
- ☐ Will the zoning change apply to all of Whistler?
- ☐ I think this is completely UNFAIR. Why have different rules for different subdivisions?
- ☐ I would like to see all areas in Whistler included in this scheme as I don't feel it is fair that not all property owners should be ultimately expected to follow the same rules as property owners in the zones as shown to date.
- ☐ No comment.
- ☐ Additional zones under consideration need to be pursued.
- ☐ I would like to see this apply to all zones where single family or duplex is permitted including RT zones. Anything more than 4 B U (?) should be covered.
- ☐ Bare land stratas should be included. The strata lot titles go down to centre of the earth and new space developed under existing units would have little, if any impact.
- ☐ Should be resort wide. No exclusions.
- ☐ No comment.
- ☐ n/a
- ☐ No comment.
- ☐ Include more zones!
- ☐ This should be expanded to include neighbourhoods that would currently be unaffected by these changes.



4. Do you have any questions or comments that you feel should be addressed in moving forward the proposed changes and ensuring properties with currently unapproved spaces come in to compliance?

- ☐ Fees for certifying could be discounted in the early stages and incrementally increased over time.
- ☐ Who will investigate the "illegal spaces" and will it be a voluntary or imposed inspection?
- ☐ Continue to work to legalize other spaces (i.e. lofts/attics, void spaces, finished garages, within the existing footprint).
- ☐ How is this going to be achieved and what time scale is involved?
- ☐ It isn't clear how these changes will encourage owners with non-conforming space to come forward voluntarily. They may be scared they will have to redo electrical/plumbing etc. This issue should be discussed publicly as well.
- ☐ Continue to move forward quickly with this process and keep up the good work that you have begun!
- ☐ No comment.
- ☐ It seems that some of the biggest residences are the ones that have taken advantage of capturing additional square footage. If the goal is to ensure everyone is paying their fair share the basement issue is only one part of what should be a continuing initiative.
- ☐ I think that the next step will likely be to tackle the non-conforming space in stratas.
- ☐ Grandfather & move forward.
- ☐ No comment.
- ☐ No comment.
- ☐ Building permit fees should apply to basement like floor areas both for new construction and retroactively when alterations are made to old buildings.
- ☐ How do strata corporations – condo type sites fit into these initiatives? That should be part of the initiative as well.
- ☐ Will there be any attempts to deal with non-conforming spaces that are not on basement or ground levels of existing buildings?
- ☐ Where a house has a "basement" space which complies with the new regulations and could now be permitted for development and a covenant was previously registered on title stating it could not be developed will the homeowners be able to remove the covenant?
- ☐ Home will come into compliance as the owners make upgrades or sell.
- ☐ It's a good idea all round.
- ☐ Re-inspect all homes.
- ☐ Expand this past single family.
- ☐ No comment.
- ☐ No questions. Please move forward.
- ☐ I feel that non-conforming space information needs to be available to temporary workers that may not follow the topic as closely. They are the ones most likely to live in an unsafe space and should be aware of the regulations.



5. Do you have other comments on the proposed amendments or this initiative in general?

- ☐ This will be good for Whistler. Keep exteriors and setbacks similar but allow more freedom for size.
- ☐ This is a positive development that will fuel investment in Whistler and improve its competitiveness as a top resort destination.
- ☐ Will there be a "timeline" imposed to achieve compliance to code and safety standards?
- ☐ The zoning rules should allow duplexes to have secondary suites in the basements to help with affordability (this is common).
- ☐ No, not at the present time.
- ☐ Overall, I am very supportive of the initiative. I believe duplexes with basements should also be permitted secondary suites.
- ☐ Move to legalize as much space as possible, especially space within the existing volume of homes (i.e. void spaces, lofts, attics, finished garages, etc.).
- ☐ Relax suite rules (i.e. allow secondary suites in duplexes, third suites in single family detached. Whistler should be supportive of densification to create greater efficiencies in provision of services, environmental footprint, and helping affordability.
- ☐ The GFA should be totally removed from the bylaw, stick to the setbacks & height requirements and let property owners build as big as they want!
- ☐ No comment.
- ☐ It is a step.
- ☐ Consideration for suites in residences that have been mandated for affordable housing for resident workers.
- ☐ Please look at the issue off infilling vaulted spaces within the building envelope (e.g. filling in space over vaulted living room).
- ☐ This should address all illegal space.
- ☐ Great idea. Long overdue.
- ☐ Let's move forward quickly the uncertainty of what the future will offer is impacting investment and property value.
- ☐ Any further development on these changes should be kept as simple possible along the lines of building volume. If the form and character of a building is still the same whether or not you fill in (for example a vaulted ceiling), it should be fine, both for existing and proposed residences.
- ☐ Further can the covenant be removed prior to any permits to develop the space being applied for?
- ☐ Fair to everyone, if this goes through the extra taxes and permit fees will allow municipality not to have to raise permit fees because of this extra income. (I have personally worked on illegal space and I don't think it will stop so let the municipality profit with the taxes.
- ☐ My main comment is why are we capped at 5000 sq ft? Why not have a cap on floor space ratio? Larger buildings need more setbacks, height limitations. If someone has a large enough lot why not have 10,000 ft² or whatever. Those places would create a lot of man years of work plus the maintenance.
- ☐ I hope that in filling there some changes will come.
- ☐ It should eventually go further; the size of a building on a particular lot should be governed by % of lot coverage (total including garage) and roof height. The living space, square footage should be relevant. A lot of time has been wasted on this calculation and unnecessary.



- While there will be some “minor” issues that may come up with the initiative, there is far more good that will come by finally dealing with this matter. Well done Council, Staff, & Committee members. Best of luck with moving forward.
- Please move forward with this proposed change. It is only a matter of time before people are seriously hurt by being “allowed” to live in a non-conforming space with no exit from house fire or other tragedy.
- I am a fan of this proposal but still do not want monster homes to become permitted within our municipality. The square footage of the house should always be proportionate to the lot size.
- Great open house, very informative.
- Will builders be held responsible for building any illegal spaces?



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OPEN HOUSE COMMENTS RECEIVED BETWEEN MARCH 6 - 23, 2012 POTENTIAL ZONING CHANGES TO RESIDENTIAL FLOOR AREA REGULATIONS

1. Do you have any comments on the overall direction of the proposed zoning changes?

- ☐ Are you going to prosecute those that don't come forward?
- ☐ I applaud the RMOW for being (finally) proactive on this issue.
- ☐ Do not agree with going in this direction as it is, in essence, rewarding bad behavior.

2. Do you have any comments on the proposal to exclude basement-like floor areas from the zoning definition of Gross Floor Area? Any comments on the allowances and definitions being proposed?

- ☐ Is this just first attempt at bringing illegal spaces into compliance? Will there be more?
- ☐ Basements should be defined. Area in the basement should not be limited by sq. ft. or we will have the same problem that currently exists.
- ☐ Depending on the lot & the house design by allowing this change someone might be able to build a home up to 7,000 square feet. The last thing this town needs is big homes that will most likely sit empty for the bulk of the year.

3. Do you have any questions or comments on the proposed zones that these changes would apply to (see map)?

- ☐ Can I buy a house with a lower floor at grade then come a(nd) backfill the lower floor to have it qualify as a basement so I can get bonus space in my house?

4. Do you have any questions or comments that you feel should be addressed in moving forward the proposed changes and ensuring properties with currently unapproved spaces come in to compliance?

- ☐ The intent of the bylaw is to bring properties into conformance and the main focus is liability (life/safety) and structural integrity of the building.
- ☐ Is there any way to ensure some form of community benefit if this goes through? I.E. people that get bonus GFA & come to apply for BP to expand their home must either build an employee restricted rental suite or pay cash that goes to fund future employee housing projects.



5. Do you have other comments on the proposed amendments or this initiative in general?

- Will builders be held responsible for building any illegal spaces?
- Question will have to be asked can a basement go beyond the footprint of the house. Will have to develop a strategy for the case that someone comes forward to bring their house into compliance but it unfortunately may not be possible even under new guidelines. Will the RMOW then be litigious or what course of action will be taken. Suggest that they then sign a covenant of disclosure as is the case today.
- This will make market homes even more unaffordable than they are and, most likely inadvertently increase the overall “bed units” in Whistler. Don’t do it!

Dear Task Force, Staff etc....

Thank you for the opportunity to comment on the proposed changes to deal with the illegal space issues in Whistler. I'd like to commend current staff and Council as well as past staff and Council for continuing to try and solve the issues related to illegal space in Whistler. The Task Force should be commended as well for providing input on the topic and for the volunteer hours spent in discussion, open house etc... I offer my opinions as a way of collaborating for a better Whistler and for no other reason.

While there are a host of questions I could ask about the current process "Did it expand beyond finding a solution to illegal space?" "Did it adequately inform residents about the potential benefits and drawbacks to make inform comments?" etc..., the question that I have on this challenge is **"Are we being strategic?"**

What I mean by that, is "Are we ensuring that we get the outcomes we desire or at a minimum ensuring that we can still reach our desired outcomes at some point in the future?" This question is akin to a mountain climber asking, "If I take this next route, will it lead me to a dead end or help me lunch an attempt at the summit?"

In answering this question it is apparent that we need to have a clear idea of what the desired outcomes are.

I think in the long run most Whistlerites would agree that we want to have a successful and sustainable resort community, where we are thriving and the once apparent trade-offs between community life, resort experience, economic viability, and a healthy environment have been put to rest. At the same time we want to deal with the many issues of today. Achieving these benefits requires open market principles and regulatory/pricing approaches to manage the market failures that are currently acting as barriers. This is why we have some policy in our lives.

The question today with respect to the current policy proposal is;

"Does this proposal meet our multiple priorities today and/or at lease ensure that we can still reach our desired outcomes in the future?"

Zoning is powerful and long lasting.

The whole reason the illegal task force was put together was to look at how to deal with the drawbacks with illegal space and to move further toward some desired outcomes in Whistler. A full breadth of the impacts due to the space is likely going to be included in the report so I won't repeat them here. **I think all the benefits are important values to Whistler and these benefits (support our construction industry, safer dwellings, etc...) should be pursued.** Is it possible

to pursue these benefits and other important community benefits in the short term? Yes. Is it possible to be strategic and ensure the proposal will help lead toward a situation where trade-offs don't exist? Yes. In fact, as Whistlerites have long understood the tremendous opportunity that rezoning is to launch the community toward a better situations. We have also come to understand however is that changes to zoning or definitions have the ability to entrench undesirable situations. Zoning is powerful and long lasting.

There are a host of reasons as to why people build, furnish, and use illegal area as living space. There are also a host of reasons as to why people may just use this illegal space as storage space, and why they may not build it at all. The homes impacted by the proposal fall into one of those three categories. The same reasons to build, use, furnish or

... the question that I have on this challenge is "Are we being strategic?"



not build at all likely apply to the empty or tear down home lots impacted by the proposal. Clearly not everyone builds space under their home as might be allowed by this change to the zoning bylaw.

In a race to capitalize on this proposed legal space I think it is fair to say that even more parcels will build and utilize this type of space going forward. Given that basis, there may be some community values that are further impacted compared to the current practice.

I think it is fair to say that even more parcels will build and utilize this type of space going forward. Given that basis, there may be some community values that are further impacted compared to the current practice.

So what are the values that may be impacted? As far as I can surmise with my limited time looking at the issue they are the following:

**Value 1: Appropriate Housing for Whistlerites now and in the future
Increases the price of housing**

The proposal will place increased pressure on the price of homes in Whistler. Whistler is performing quite well with respect to housing its many employees, but this is only because of the past foresight of community members and the willingness of Whistlerites to buy into the model. There is no guarantee that this performance will be maintained going forward, especially as many living in the units begin to reach retirement. If Whistler is to be successful as a community then we need to ensure that enough housing prices reflect the local economy and not the economies of far off places. The current proposal places upward pressure on the size of dwellings and therefore the cost of building.

**Value 2: Bed Cap
Places additional stress on our built infrastructure and built capital**

Our bed cap system as archaic as it might be was built to ensure that Whistler's infrastructure was not overloaded. Since then it has gain mythical proportions and now is viewed as a tool to ensure that our infrastructure, recreation experience, natural areas and overall crowding of the community is not impacted. Past illegal space has contributed to impacts on these systems and based on the current proposal the new space will likely do so as well. The current and future impact of this additional space of just rezoning detached and duplex dwellings represents an approximate 1-1.5 million additional square feet of building space on top of what we already have. This size represents about another Rainbow/Baxter Creek built form in size, not use, but size.

**Value 3: Energy and GHG Targets
Will add additional heated floor space to the community**

With 1-1.5 million additional sq.ft of space comes the demand for more energy use for heating and appliances. Much of this energy is currently provided by natural gas and much of BC's future electricity may be derived from natural gas as well. Both these sources are part of our community's, province's, country's and world's contribution to greenhouse gas emissions. Clearly the continual increase in ghg's cannot continue, and in fact Whistler has aggressive targets in the OCP to reduce these emissions. There may be some energy reduction benefits to bringing illegal space up to building codes, but the overall continuation of larger space and allowance for larger buildings will likely continue to increase energy use and likely emissions.

**Value 4: Belief in the rule of law
Rewards rule breakers and punishes those that followed the rules.**

The current proposal continues to reward people with illegal space in their units, by making it legal. Of course they may have to go through some additional hoops to make it legal, but they are essentially getting a large benefit from this proposal. All the other parcels with homes that were built to the law, will also have the potential to be built as described in your diagrams, but until these homes are torn down/jacked up in the case of a flat lot, or part of a major renovation in the case of a sloped lot, these rewards won't accrue. In fact until that time, the attractiveness of the units that were built to the law may diminish slightly.

In being strategic, there are two ways in which to ensure that the values they encompass are not compromised.

1. **Ensure that the solution today addresses them.**
2. **Ensure that the solution today remains flexible to addressing them at some point in the near future.**

At risk of looking very naïve, there are many other people with far more knowledge who could be involved ensure that more community values are considered in today's solution, but I feel it is in the spirit of collaboration to at least suggest a few ideas too.

1. **Appropriate Housing for Whistlerites now and in the future:** While the current proposal increasing the safety of currently illegal living space it also makes conditions to further increases the cost of future dwellings in Whistler by allowing more space. Whistler has a history of trying to manage the cost of housing in the community and could continue to apply that to this proposal. Solutions might look like other solutions we've had in the past, but might also include solutions like market lot splits, more duplexes, increases in rental suite proportions and size, employee suites, housing payments etc... I realize the suggestion above for affordable housing may also impact infrastructure, so it is not ideal. On the other hand it might also increase the number of people living and migrating to the community and support a longer term economic benefit than just the construction phase.
2. **Bed Cap – minimizing impacts on built and natural infrastructure:** Some additional provisions for parking, building massing etc... or additional local improvement charges on properties, user pay for infrastructure (water, waste, sewage) could help to limit or pay for these impacts on infrastructure. With respect to the impact on natural areas, the current proposal mainly extends impacts to those areas outside of Whistler though additional material used, but locally the impact can be felt on the site where once open natural space under homes or stilted structures is more frequently covered up by buildings. Agreements increase setbacks etc... may help to mitigate this impact.
3. **Energy and GHG Targets:** In most rezoning and as recent as February 2012, Council policy has been to extend provisions to strongly encourage higher efficiency buildings. Baxter Creek, Cheakamus Crossing, Fitzsimmons Walk etc... This practice should just be extended to this proposal to ensure that we can move toward our energy and ghg reduction targets on our own terms without relying on other levels of government. We should continue to lead and then write higher level policy as opposed to just responding to what others decide for us.
4. **Belief in the rule of law:** The current proposal goes far beyond its original intent of solving issues with illegal space. The proposal should scale back to deal with this issue. In scaling back, the proposal may provide foundation of "entitlement in exchange for community benefits" to help support the other solutions above. Including parameters to support the values above is another way to ensure the rule of law is not flouted. Alternatively a more market solution than regulation for dealing with illegal space, bylaws or allowance of more GFA would be to seek the power to tax illegal space a different rate than the traditional legal space tax rate. This additional tax rates may make the decision to build illegal space less appealing in the future.

The bulk of my commentary so far is premised on the assumption that the proposal doesn't support and in fact hampers our ability to support multiple community values. My assumptions could be wrong, and the pilot being proposed is a great way of testing these assumptions.

My assumptions could be wrong, and the pilot being proposed is a great way of testing these assumptions.

The current proposal seeks to apply this pilot approach; in all reality it is much larger than a pilot and the likelihood of the new approach being rescinded all together is unlikely. While the approach could be built upon, unfortunately the best timing for managing the potential drawbacks of the policy are upfront and if this opportunity isn't acted on

now, then the ability for future improvements will be greatly hampered. **Going ahead with the proposal as it stands will put us in a situation where we need to rely on other levels of government or future upzoning benefits to correct the existing and potential market and regulatory failures.**

If the ideas above or other variations cannot be implemented today into the current proposal, then the second question in an approach to 'being strategic' is to ensure that the solution today remains flexible to addressing the issues at some point in the near future.

Again at risk of looking very naïve, there are many other people with far more knowledge who could be involved to ensure that flexibility is inherent in the proposal, but here are a few ideas to consider.

1. **Employ a pressure release valve approach:** Essentially start with more strict requirements like those propose above as opposed to minimal requirements and relax/release them as much as necessary to achieve multiple benefits.
2. **Employ a real pilot, improve and expand:** Pilots are one of the best ways to test behaviour before committing to a policy change. A real pilot would apply to one small area (e.g. 200 homes) like in the case of the resident infill pilot in Alpine South, include a robust review process and then be expanded with the improvements.
3. **Use a robust assessment process:** Further improving the current proposal down the road requires that the process to review its outcomes is very robust. With a commitment from leaders to trust and act on the suggested improvements that may be needed in a few years time.
4. **Advocate at other levels of government:** Going ahead with the proposal as it stands requires a reliance on other levels of government help us meet multiple community priorities. In this case housing, ghg reductions etc... To ensure that these upper government approaches are beneficial to the values of Whistler, we need to ensure that we continue to lead the policy discussions and advocate on our behalf of achieving all our community priorities.
5. **Consider "what next?":** If this proposal isn't one part of the solution to creating a better Whistler in all areas, then continue ask answer the question "What are the next steps to keep us moving toward a successful and sustainable future?"

So where do we go next? There are really smart people working on this file and really smart people making decisions for the community. Additionally I know there is an urgency to solve some of the issues of illegal space and to get more building happening in the community.

From my perspective I would like to see respect for those who followed the rules, some enhancements to support even more community priorities through this proposal and at a minimum a truly flexible approach to ensure our ability to manage any unintended consequences and improve our community in the future.

Thanks again to all the volunteers (Council, Building Industry etc...) and municipal staff who have worked on this file so far.



RESIDENTIAL BUILDING PERMIT APPLICATION CHECKLIST

Owner's Name: _____

Permit No: _____

Project Address: _____

DOCUMENTS REQUIRED FOR ALL APPLICATIONS

- ☐ Title Search (no older than 30 days from date of application) OR ☐ \$20 charge in lieu of Title Search
- ☐ Building Permit Application Form
- ☐ Plumbing Permit Application Form (if any plumbing fixtures to be removed, replaced or added)
- ☐ Acknowledgement of Owner Form
- ☐ Owner's Authorization of Agent Form (required for ANY person other than the registered owner)
- ☐ Highway Use and Clearance Fee Form

NEW HOMES: special requirements

- ☐ Plan Requirement Checklist signed by designer & applicant
- ☐ HPO Home Warranty Registration
- ☐ Solar Hot Water Ready

RENOVATIONS: special requirements

- ☐ Declared Value of Construction:
- \$ _____

FOUNDATION PERMITS: special requirements

- ☐ Requirements as listed on p. 6 of Plan Requirement Checklist

ADDITIONS: special requirements

- ☐ Survey Plan of existing house

GROSS FLOOR AREA EXCLUSIONS: special requirements

- ☐ Area overlays of all floors detailing Gross Floor Area and Excluded Gross Floor Area
- ☐ Calculation of the average ground level adjoining the building
- ☐ Elevation detailing 1 meter maximum requirement to floor and average ground level

PLANS - 2 SETS OF ALL PLANS REQUIRED

- ☐ Site Plan with parking/road access @ $\frac{1}{8}$ " - 1' or 1:100 ☐ Floor Plans @ $\frac{1}{4}$ " - 1' or 1:50
- ☐ One extra copy of Site Plan: 11" x 17" MAXIMUM SIZE ☐ Elevations @ $\frac{1}{4}$ " - 1' or 1:50
- ☐ Area overlays for all new Gross Floor Area ☐ Sections

ENGINEERING

- ☐ Sealed structural drawings with letters of assurance
- ☐ Geotechnical engineering (where required) with letters of assurance
- ☐ Proof of insurance for all engineers



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014

REPORT: 14-012

FROM: Resort Experience

FILE: 8337

SUBJECT: UBCM Fuel Management Prescription Program Application

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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.

REFERENCES

Appendix A - UBCM Fuel Management Prescription Program Application

Appendix B - Location Map

PURPOSE OF REPORT

The report describes the UBCM Fuel Management Prescription Program application (a.k.a. Firesmart) and requests a resolution of support which is a requirement of the application.

DISCUSSION

The RMOW is embedded within the forest; more than 40% of the community is forested. Portions of the community have been mapped as part of the Ministry of Forests, Range, and Natural Resource Operations hazard assessment program and a number of areas within the community have been identified as moderate to high hazard from a wildland urban interface perspective. Overall, the community could be classified with a fire risk profile described by a moderate fire probability and high to extreme consequence based on the values at risk.

B.A. Blackwell and Associates Ltd. (Blackwell) were retained in 2005 and 2011 to develop and then update a Community Wildfire Protection Plan (CWPP). The project was funded by the RMOW and a supplementary grant from the Union of B.C. Municipalities. A Wildfire Risk Management System was developed to identify key areas of risk within the community. Based on the findings, Blackwell developed a list of priority locations within the valley to receive Operational Fuel Treatment (thinning) in order to reduce the behaviour threat class.

The UBCM funding program is broken into two portions given out consecutively: funds for Fuel Management Prescriptions (how the forest will be treated to reduce risk), and once the prescriptions are completed and approved, we can apply for Operational Fuel Treatment funds (the actual tree thinning work). Applicants are required to contribute 25% of total project costs for Fuel Management Prescriptions, and 10% for Operational Fuel Treatments.

A number of other projects, often called Firesmart, have been done throughout the valley in Lost Lake Park, along the Kadenwood access road and behind Horstman Estates. The current application is to complete prescriptions for the next highest priority locations identified by Blackwell.

The application was completed and submitted for the January 31, 2014 deadline but a Council resolution of support for the application is also required.

The current application area is comprised of three polygons located on the west side of the valley where treatments have not been implemented before. Please see Appendix B for the location map.

- CCF5 is part of the Cheakamus Community Forest. It is 9.1 hectares located north of Alta Lake and Rainbow Park.
- Polygon #1 is located above Valley Drive and is 23.8 hectares.
- Polygon #2 is located above Alpine Way with good access. It is 21.8 hectares.

Assuming the application is approved by the UBCM, prescriptions will be developed in summer 2014, and then the RMOW will apply for Operational Fuel Treatment funds in fall 2014 with an expected operational thinning project on the ground in spring 2015.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Finance	The cost of maintaining the resort community is shared	UBCM program covers the majority of costs.
Health & Social	The resort community is safe for both visitors and residents, and is prepared for potentially unavoidable emergency events	Wildfire risk has been identified and the RMOW is taking action on a plan to reduce that risk.
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 thinning program includes biodiversity goals so that long term forest health is improved by removing much of the skinny, dense second growth that provides limited habitat values.

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

OTHER POLICY CONSIDERATIONS

The wildfire management program is in line with OCP policies.

BUDGET CONSIDERATIONS

The UBMC grant program provides 75% of project costs for preparing prescriptions, and 90% of project costs for the thinning work. Based on past projects in Whistler, the cost per hectare for the thinning projects has been more than the UBCM is willing to pay and an agreement was negotiated in 2013 that UBCM would pay a maximum of \$22,500 per hectare with the RMOW picking up the trucking costs of \$10,000 - \$15,000 per hectare. The difference arises because most communities do a rougher thinning job using machines rather than the amount of handwork Whistler does, and they will burn the wood debris on site while Whistler trucks it to the composter. This provides

needed woody material for the composter and keeps the projects in compliance with our burning bylaw. This approach can be revisited in the future if there is a wish to reduce costs.

COMMUNITY ENGAGEMENT AND CONSULTATION

Before each thinning project starts, information is provided to the public through local media, Whistler.ca, Whistler Today and in some cases, targeted letters to neighbouring landowners. Information signs are also erected at each location to describe the project. The Squamish and Lil'wat Nations will be consulted as part of the process to secure a Forest License to Cut from the province, as well as be invited to submit proposals to carry out the thinning work.

SUMMARY

The RMOW continues its wildfire management program as per the recommendations of its Community Wildfire Protection Plan (2005 & 2011). It is prudent to take action to minimize risk in identified areas and take what efforts we can to protect our community.

Respectfully submitted,

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

Strategic Wildfire Prevention Initiative

Fuel Management Prescription Program

E-mail: lgps@ubcm.ca
Mail: 525 Government Street, Victoria, BC, V8V 0A8

2014 APPLICATION FORM

Please type directly in this form or print and complete. Additional space or pages may be used as required. For detailed instructions regarding application requirements please refer to Fuel Management Prescription Program Guide.

SECTION 1: APPLICANT INFORMATION

Local Government: Resort Municipality of Whistler

Date of Application: January 30, 2014

Contact Person*: Heather Beresford

Title: Environmental Stewardship Manager

Phone: (604) 935-8374

E-mail: Hberesford@whistler.ca

* Contact person must be an authorized representative of the applying local government or First Nation.

SECTION 2: PROJECT INFORMATION

1. NAME OF PROJECT.

RMOW 2014 Fuel Treatment Prescriptions (Rainbow)

2. DESCRIPTION. Please provide a geographic description of the proposed area, including treatment units as identified in the CWPP.

The assessment area is comprised of three polygons (CCF5, #1 and #2 in the CWPP update). These units are located on the west side of the valley, where treatments have not been implemented before.

CCF5 is part of the Cheakamus Community Forest. It is 9.1 hectares. It is located north of Alta Lake and Rainbow Park.

Polygon #1 is located above Valley drive, and is 23.8 hectares.

Polygon #2 is located above Alpine Way, with good access. It is 21.8 hectares.

Date of current CWPP: Last update July 20, 2012.

3. RATIONALE FOR PROPOSED TREATMENT UNITS. Please provide a description of benefits and effectiveness of proposed treatment units.

CCF5 is the highest rated polygon that is not treated or already under prescription in the RMOW. The potential for partnership with the Community Forest to include commercial thinning as part of the treatment could substantially lower treatment costs, while still providing a fuel hazard reduction benefit to the community of Whistler. There is water infrastructure in the hazard

assessment area. Reducing fuels adjacent to the water tower will ensure that fire fighting capabilities are not reduced during a wildfire. Access roads to the water infrastructure provides access to the public into high fuel hazard areas.

Polygon #1 is adjacent to (uphill) residential development, and nearby to (~500m) a relatively new development area, representing considerable investment by property owners and developers. There is critical water infrastructure in this unit as well. There is established road access into this unit.

Polygon #2 is also adjacent to a residential area, and also contains critical water infrastructure, as well as several other buildings. There is good access via a gated road, and many high use trails. High public use increases the risk of human initiated fires, and also increases the effectiveness of demonstrating fuel and vegetation management principles to the public once treated. This polygon is adjacent to substantial residential development, representing significant value and investment by property owners.

- 4. PROPOSED NUMBER OF HECTARES TO BE INCLUDED.** Please provide the gross and net hectares to be assessed. If applicable, please separate hectares on Crown land from hectares on local government land.

All assessment area is on provincial crown land. There is a wedge of private land in CCF5 that is excluded from the assessment area.

Gross hectares to be assessed is 54.7. The net area will be determined by prioritizing high priority areas and expected treatment costs.

- 5. MOUNTAIN PINE BEETLE AFFECTED TIMBER.** Please indicate if this project includes Mountain Pine Beetle fuel type:

☐ Yes ☒ No

- 6. CURRENT THREAT RATING OF PROPOSED AREA.** Please indicate the current threat rating. Please note: the current *WUI Wildfire Threat Assessments* guide and worksheet must be used and submitted.

CCF 5: Wildfire behaviour threat score 97 (high); WUI wildfire threat score 25 (moderate); total wildfire threat score 122.

Polygon #1: Wildfire behaviour threat score 92 (moderate); WUI wildfire threat score 38 (high); total wildfire threat score 130.

Polygon #2: Wildfire behaviour threat score 90 (moderate); WUI wildfire threat score 33 (high); total wildfire threat score 113.

The behaviour threat scores are possibly lower than what might be expected for high priority treatment areas in other regions of the province. It is the professional opinion of B.A. Blackwell and Associates that the WUI Threat worksheets do not fully capture the fire threat in coastal ecosystems due to higher site productivity and subsequent larger biomass and fuel loadings, relative to other areas of the province, leading to increased threat. Dense second growth stands characteristic of the Whistler area are often self pruned (leading to low scores for crown base height), have low surface fuel loads due to historic logging practices. However, high densities and continuous crown closure make Whistler area forests capable of sustaining catastrophic crown fires given appropriate fire weather conditions. The proposed assessment polygons #1 and 2 fall on the high side of Moderate, and should be considered borderline High behaviour threat class. This combined with high scores in WUI threat class make these priority candidate areas for treatment. Polygons 1 and 2 are WUI intermix areas that surround extremely high value residences, as well as critical infrastructure.

Please note: all three polygons were assessed using the 2011 WUI Threat Assessment worksheet and were rated as moderate, with areas of high and critical infrastructure requiring fuel break

treatments. The 2012 WUI Threat Assessment worksheets were completed using the initial assessment worksheets as guides, and both versions are included in the application package along with corresponding photos.

OTHER ACTIVITIES. Please describe the extent to which your community is undertaking wildfire risk mitigation activities as outlined in Section 6 of the Program & Application Guide (Review of Applications).

- Fire Protection and Fireworks Bylaw provides for permits for backyard campfires and for a complete residential burning ban annually from June 15 to September 15. Prior to issuing a backyard campfire permit, each property is inspected to ensure that there are no dangers present at the site. Fines are levied against those who do not obey the bylaw.
- The Fire Protection and Fireworks Bylaw also prohibits the selling and the use of retail fireworks within the RMOW.
- The Provincial Wildfire Regulations have been incorporated into our Bylaw which strictly enforce control over "High Risk" activities in and around the interface and intermix areas. Fines are levied against those who do not obey the bylaw.
- Construction materials are not permitted to be burned, nor is any burning for the purpose of land clearing within municipal boundaries. Currently commercial burning of any type is not permitted.
- During HIGH or EXTREME fire danger classification times, campfires at campsites are prohibited.
- High wildfire hazard development permit areas require the following for new and renovated developments: Class A or B roofing; non-combustible siding; full sprinklering of buildings.
- All Fire Department Paid-On-Call staff are S100 trained; all Fire Department career staff are S215 trained. Several of RMOW Public Works staff are trained in S100. The Fire Department has worked with Whistler Blackcomb (WB) to train the majority of their staff in S100.
- The Fire Department has a CAFS truck within the fleet. Budgeting over the next three years includes the purchase of two Type 1 SPUs (sprinkler protection units)(one in 2014 and one in 2015).
- RMOW Council has earmarked funds in the 2013-2017 financial plan for Firesmart initiatives. This is the first time FireSmart initiatives have been included in the Council budget.
- An initial CWPP was developed in 2005 to guide RMOW's protection planning process. Since that time, there has been substantial new development in the community and RMOW implemented a number of the CWPP's recommendations, altering the community risk profile in areas. To continue with reducing the risk profile, an update to the CWPP was developed in 2011. Work to date has addressed some of the 2011 CWPP recommendations.
- A minimum of one practice/ cross training session is organized annually. These sessions are executed in cooperation with the Pemberton Fire Base at the start of the fire season; the objective is to improve familiarity with and working relationships between RMOW Fire Department and Wildfire Management Branch staff and equipment.

7. REVIEW OF PROJECT/APPLICATION. Were any other agencies consulted in the development of the project and/or application prior to submission? Please check all that apply and provide any supporting documentation:

- | | |
|---|--|
| <input type="checkbox"/> WMB Fuel Management Specialist | <input type="checkbox"/> Resource District/Land manager |
| <input type="checkbox"/> WMB Fire Zone staff | <input type="checkbox"/> First Nations' Emergency Services Society |
| <input type="checkbox"/> Local fire officials | <input type="checkbox"/> Other: |

8. CONSULTANT INFORMATION. If a consultant is being utilized to do some or all of the work, please describe how you will select a qualified individual:

Direct award to preferred contractor.

If possible, please include the name(s) of the consultant(s):

Prescription Consultant: B.A. Blackwell and Associates Ltd

GIS Consultant: B.A. Blackwell and Associates Ltd.

Eligible activities and costs are outlined in Section 4 of the Program & Application Guide. In Section 3 below, please include all proposed eligible costs for the development of your prescription.

SECTION 3: PROPOSED ACTIVITIES & COSTS	
Activity	Proposed Cost
Consultation with the resource district, land manager or other local governments and/or First Nations regarding the proposed fuel management prescription. <i>This activity may take place within 12 months prior to application submission.</i> <u>Please describe:</u> Consultation with the CCF will be essential to prescription development, in addition to consultation with resource district and land managers on all units.	\$2,000.00
Evaluation of the site(s): field reconnaissance and data collection to provide an estimate of the stand structure, threat rating using the current WUI Wildfire Threat Assessments guide and/or fuel loading. <i>This activity may take place within 12 months prior to application submission.</i> <u>Please describe:</u> Field reconnaissance and stand inventory plots, as well as detailed ecosystem and fuel loading assessments. Identification of treatment areas that are feasible and economical.	\$6,000.00
Assessment(s) that are directly related to the resource values affected by the prescription within the proposed area. <u>Please describe:</u> Evaluation of any overlapping values in the proposed treatment area. Examples include, species at risk, hydrological features, other tenures, etc. Resolution of conflicts via prescription modification etc.	\$2,000.00
Lay out and traversing of treatment area(s) in the field. <u>Please describe:</u> Delineation of treatment units (ribboned) in the field. GPS traverse of boundaries.	\$4,500.00
Preparation of the prescription, maps, spatial data, and metadata. <u>Please describe:</u> Prescription draft preparation, review by RPF, potential research into various overlapping values that must be accounted for in the prescription, GIS mapping and export of metadata to UBCM standard.	\$5,100.00
Staff and contractor costs directly related to the development of the fuel management prescription. <u>Please describe:</u> Vehicle use, accommodation and food during field work (site evaluation, stand data collection, layout, traverse, and on-site consultation). Field expenses such as flagging, tags, other consumables.	\$4,000.00

Local government administration costs directly related to the development of the fuel management prescription. <u>Please describe</u> : Grant and contract management (budgeting and accounting), Fire dept time, public consultation.	\$2,000.00
Public information directly related to the development of the prescription. <u>Please describe</u> : Consultation with adjacent landowners/residents or other stakeholders as deemed necessary.	\$1000.00
Other proposed activities. <u>Please describe</u> :	\$
Total Proposed Costs:	\$26,600.00

The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions.

Total Grant Requested (75% of total cost):	\$19,950.00
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Please note that you will be required to provide detailed information on the community contribution in the final report. This includes information on contributions from other grant programs. If information is available now, please complete Section 4 below:

SECTION 4: OTHER GRANTS	
Grant(s) Description:	Estimated Grant Value
	\$

SECTION 5: SIGNATURE (To be signed by Local Government Applicant)	
I certify that the area covered by the proposed prescription: (1) is not scheduled for development; (2) is not scheduled for sale; and (3) is within the jurisdiction of the local government (or appropriate approvals are in place)	
Name: Heather Beresford	Title: Environmental Stewardship Manager
Signature:	Date: January 30, 2014

See Section 6 of the Program & Application guide for complete application requirements. In addition to the Application Form, the following separate attachments are required to be submitted:

- ☐ Council or Board resolution indicating support for the current proposed activities and willingness to provide overall grant management

*Council resolution will be obtained at the next council meeting in February, and will be forwarded to the UBCM evaluation committee as soon as possible.

- ☒ Threat Assessment Worksheets and threat plot photos
☒ Maps that clearly identify the area(s) that are the subject of the application
☒ Copy of the completed CWPP for the proposed area.

*The most recent CWPP update was SWPI funded, and as such all information has already been submitted to UBCM. The document can be found here:

[http://www.whistler.ca/images/stories/PDF/Fire/RMOW_Wildfire_Community_Protection_Plan_final\[1\].pdf](http://www.whistler.ca/images/stories/PDF/Fire/RMOW_Wildfire_Community_Protection_Plan_final[1].pdf)

Applications should be submitted directly to Local Government Program Services (UBCM):

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Resort Municipality of Whistler

2014 Fuel Management Prescription Application Area Map

APPENDIX B

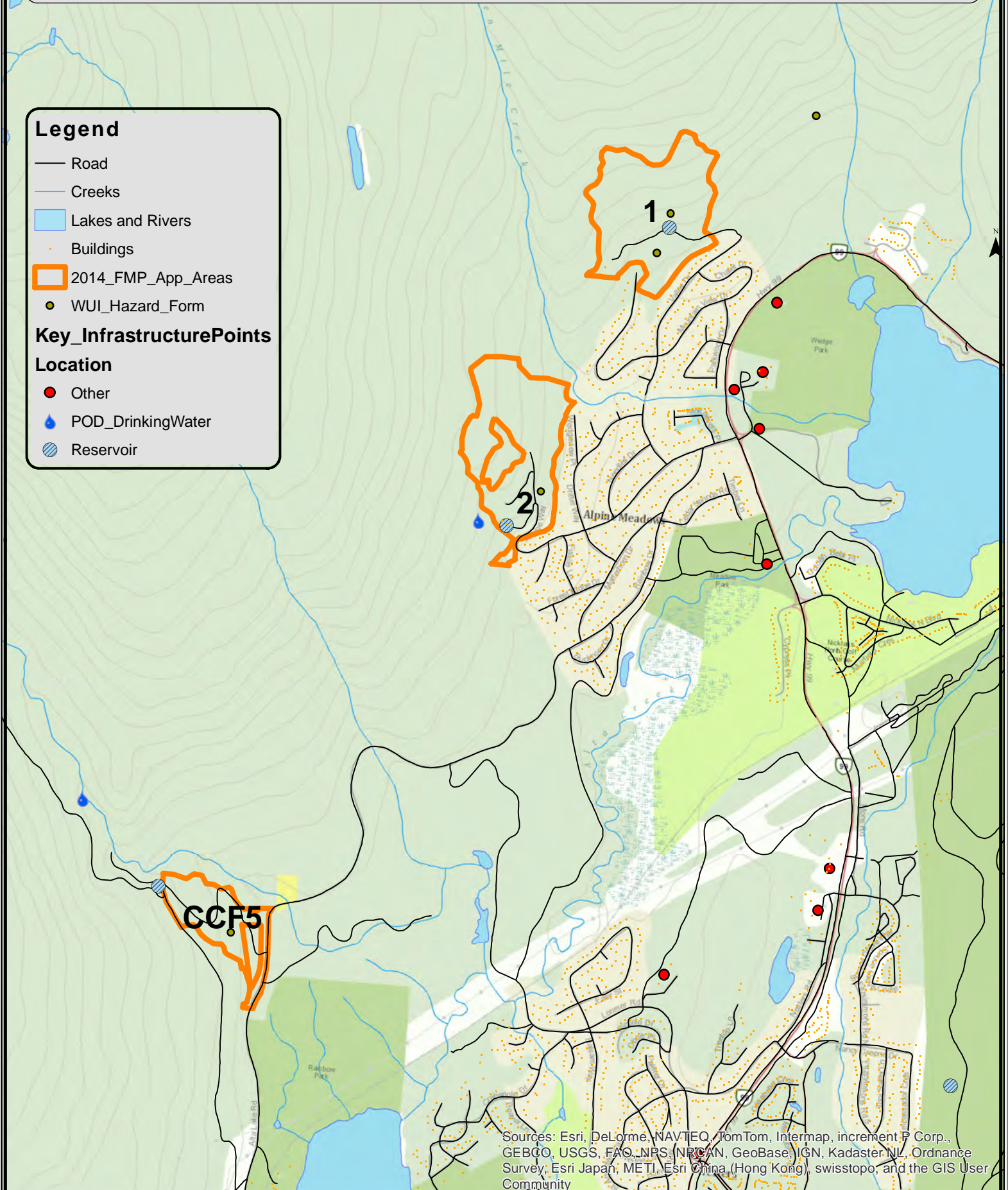
Legend

- Road
- Creeks
- Lakes and Rivers
- Buildings
- 2014_FMP_App_Areas
- WUI_Hazard_Form

Key_InfrastructurePoints

Location

- Other
- POD_DrinkingWater
- Reservoir



Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, and the GIS User Community



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: February 18, 2014

REPORT: 14-014

FROM: Resort Experience

FILE: 800.1

SUBJECT: ENVIRONMENTAL PROTECTION BYLAW NO. 2000, 2012

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

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

REFERENCES

Appendix A – Information Letter to Notify of Upcoming Bylaw

PURPOSE OF REPORT

To describe the Environmental Protection Bylaw No. 2000, 2012, its implementation plan, and request first, second and third readings.

DISCUSSION

Protecting Whistler's natural beauty and environmental resources has been identified as a priority since Whistler's creation as a resort municipality, and is highlighted in Whistler2020, the RMOW Corporate Plan and the RMOW Official Community Plan. Through significant development over the last 40 years, Whistler's natural areas and local biodiversity are challenged by land conversion and habitat fragmentation but the municipality is committed to mitigating the impacts. To assist the RMOW in meeting community goals for protecting the environment, staff prepared Environmental Protection Bylaw No. 2000, 2012.

The Environmental Protection Bylaw gives RMOW a clear, consistent and comprehensive tool to:

- protect streams from pollution or obstruction
- provide a clear tree cutting permit process
- manage invasive species
- enforce OCP Development Permit environmental guidelines.

Through the Environmental Protection Bylaw, streams and waterways are protected by prohibiting the discharge or leakage of pollution into streams or drainage works, and prohibiting the obstruction or impediment to flow of streams or drainage works.

The Environmental Protection Bylaw provides a clear Tree Cutting Permit Process for trees in specific locations that the RMOW wishes to manage. Tree Cutting Permits will be required prior to cutting or damaging trees that are:

- located within 20m of Highway 99 right-of-way;
- designated as heritage trees; or
- designated by a tree protection covenant, if the covenant requires the land owner to obtain permission from the RMOW to cut or damage the tree.

Trees in these situations were chosen for the following reasons. Beginning with the 1993 OCP, the RMOW expressed its desire to maintain a green buffer along Highway 99. In addition, many tree preservation covenants were created over the years to ensure that the forested nature of our community is maintained. As well, there is a provision to include heritage trees, even though currently no trees have been identified until a heritage planning process is carried out. The existing Rural Tree Protection Bylaw No. 1038, 1994 will be repealed through this process as it was narrow in application, and difficult to apply.

Invasive plant species will also be managed through the bylaw. Increasing attention is being paid to the damaging effects of invasive species on the environment, infrastructure and even human health. Whistler is in a fairly good position where some of the most damaging invasives are small in number and being managed, but we must continue to take action in order to stay ahead of the issue. The corridor-wide Sea to Sky Invasive Species Council (SSISC) is the lead agency for public education, monitoring, and removal. The RMOW works closely with SSISC and the bylaw will be applied in the case where SSISC has been unsuccessful in gaining property owner compliance to remove identified invasives.

The final area that the bylaw will apply to is environmental conditions contained in Development Permits for Wetland and Riparian Areas, and Other Sensitive Ecosystems. In the past, conditions have been included in DPs, but the RMOW had no mechanism to enforce them other than taking someone to court. With the introduction of the bylaw, the RMOW will be conducting site visits to provide information where needed and to ensure compliance. If compliance is not achieved, a municipal ticket can be issued.

The Environmental Protection Bylaw will be administered primarily through the RMOW Environmental Coordinator, who will administer Tree Cutting Permits, conduct site visits, work with the Sea to Sky Invasive Species Council, and coordinate with Bylaw Services.

The Environmental Protection Bylaw is being introduced via a phased approach. Phase I of the Environmental Protection Bylaw will be introduced to the community through January and February 2014 and will include the sections related to streams & drainage works, and trees (under the defined conditions).

Phase II of the Environmental Protection Bylaw will be introduced to the community through March and April, and brought to Council in May 2014. It will include the ability to request removal of invasive species and to enforce Development Permit conditions for the protection of the natural environment.

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

The Environmental Protection Bylaw supports a number of OCP policies, particularly in the Natural Environment and Quality of Life chapters, and the Development Permit Area for Wetland and Riparian Areas, and the DPA for Other Sensitive Ecosystems.

BUDGET CONSIDERATIONS

The Environmental Coordinator job description was updated in fall 2013 to include managing the bylaw, therefore no additional budget is required.

COMMUNITY ENGAGEMENT AND CONSULTATION

An open house 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. The letter is attached as Appendix A.

Further information will be released regarding Development Permit Areas, their guidelines and the permit process. The Environmental Protection Bylaw will allow the RMOW to take action in the event that conditions are not met on a DP site.

SUMMARY

The RMOW has long demonstrated its commitment to protecting the natural environment. The Environmental Protection Bylaw provides a tool for taking action in cases where activities are contrary to RMOW policies and goals.

Respectfully submitted,

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



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, BC Canada V0N 1B4
www.whistler.ca

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

January 21, 2014

File: 800.1

Protecting Whistler's natural beauty and environmental resources has been identified as a priority since Whistler's creation as a resort municipality, and is highlighted in Whistler2020, the Resort Municipality of Whistler (RMOW) Corporate Plan and the RMOW Official Community Plan. Through significant development over the last 40 years, Whistler's natural areas and local biodiversity are challenged by land conversion and habitat fragmentation but the municipality is committed to mitigating the impacts. To assist the RMOW in meeting community goals for protecting the environment, it is introducing Environmental Protection Bylaw No. 2000, 2012.

You are receiving this letter because your company carries out work that may affect areas of the natural environment that will soon be regulated by the bylaw.

The new Environmental Protection Bylaw applies to:

- Streams & drainage works
- Trees – in certain locations
- Invasive species
- Development Permit conditions for the protection of the natural environment

Through the Environmental Protection Bylaw, streams and waterways are protected by:

- Prohibiting the discharge or leakage of pollution into streams or drainage works
- Prohibiting the obstruction or impediment to flow of streams or drainage works

The Environmental Protection Bylaw provides a clear Tree Cutting Permit Process. Tree Cutting Permits will be required prior to cutting or damaging trees that are:

- located within 20m of Highway 99 right-of-way;
- designated as heritage trees; or
- designated by a tree protection covenant, if the covenant requires the land owner to obtain permission from the RMOW to cut or damage the tree.

The Environmental Protection Bylaw will be administered primarily through the RMOW Environmental Coordinator, who will administer Tree Cutting Permits, conduct site visits, work with Sea to Sky Invasive Species Council, and coordinate with Bylaw Services, as needed.

The Environmental Protection Bylaw is being introduced via a phased approach. Phase I of the Environmental Protection Bylaw will occur from January-March 2014 and will include:

- streams & drainage works
- trees – under certain conditions

First reading by RMOW Council for Phase I is planned for February 2014.

Phase II of the Environmental Protection Bylaw is planned to conclude by May 2014 and will include:

- invasive species
- Development Permit conditions for the protection of the natural environment

The Environmental Protection Bylaw gives RMOW a clear, consistent and comprehensive tool to:

- protect streams

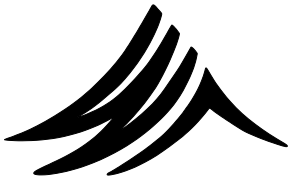


- meet and exceed Province's requirements under the Riparian Area Regulations
- provide a clear tree cutting permit process
- manage invasive species
- enforce OCP Development Permit environmental guidelines

For more information, please visit our website at <http://www.whistler.ca/environmental-protection-bylaw> or call Heather Beresford, Environmental Stewardship Manager, at 604-935-8374.

Regards,

Heather Beresford
RMOW Environmental Stewardship Manager



WHISTLER

MINUTES

**REGULAR MEETING OF PUBLIC ART COMMITTEE
WEDNESDAY, DECEMBER 18 2013, STARTING AT 4:30 P.M.**

**In the Community Meeting Room at Whistler Public Library
4329 Main Street, Whistler, BC V0N 1B4**

PRESENT:

Kerry Chalmers
Ian Crichton
Ron Denessen
Stephanie Sloan
Jane Wong
Councillor Andrée Janyk
Recording Secretary, Kevin McFarland

REGRETS:

Penny Eder
Michelle Kirkegaard
Marie-Eve Masse
Whistler Arts Council Representative, Andrea Mueller
Kat Sullivan

ADOPTION OF AGENDA

Moved by Kerry Chalmers
Seconded by Jane Wong

That Public Art Committee adopt the Public Art Committee agenda of December 18, 2013.

CARRIED

ADOPTION OF MINUTES

Moved by Kerry Chalmers
Seconded by Stephanie Sloan

That Public Art Committee adopt the Regular Public Art Committee minutes of October 23, 2013.

CARRIED

PRESENTATIONS/DELEGATIONS

None

OTHER BUSINESS

- Administration Council appointed new members Ron Denessen and Michelle Kirkegaard.
- A statement of member term status was requested for the next meeting.
- Updates RMOW and Public Art Committee representatives visited Timeless Circle artist Susan Point at her studio in Vancouver.
- As follow up to a Committee question, the Pinecone Valley Trail sculpture was steel reinforced. The artists have not provided a maintenance specification.
- 2014 Projects A new Village public art project will be delayed until a design study of Village gateways is completed.
- Pending budget approval, 2014 projects would include a Valley Trail public art project, a street banner design competition and a Poet's Pause poetry competition. Also, Timeless Circle should be installed in 2014.

ADJOURNMENT

CHAIR: (acting) Stephanie Sloan



WHISTLER

MINUTES

**LIQUOR LICENSE ADVISORY COMMITTEE MEETING
DECEMBER 12, 2013, STARTING AT 8:45 A.M.**

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

PRESENT:

Mike Varrin, Food & Beverage Sector Representative – Pubs/Bars, Chair
Rob Knapton, Public Safety Representative, RCMP
Sheila Kirkwood, Whistler Fire Rescue Service (WFRS) Representative
Edward Dangerfield, Restaurant Sector Representative
Jackie Dickinson, Whistler Community Services Society Representative
John Grills, Councillor
Frank Savage, RMOW Staff Representative, Secretary
Wanda Bradbury, Recording Secretary

ABSENT:

Jeff Cockle, Food & Beverage Sector Representative - Nightclubs
Ian Lowe, Accommodation Sector Representative, Vice Chair
Holly Glenn, Liquor Control and Licensing Branch (LCLB) Inspector

ADOPTION OF AGENDA

Moved by Frank Savage
Seconded by Edward Dangerfield

That the Liquor License Advisory Committee adopt the Liquor License Advisory Committee agenda of December 12, 2013 as amended.

CARRIED

ADOPTION OF MINUTES

Moved by Sheila Kirkwood
Seconded by Edward Dangerfield

That the Liquor License Advisory Committee adopt the Liquor License Advisory Committee minutes of October 9, 2013.

CARRIED

PRESENTATIONS/DELEGATIONS

LLR.1167
El Furniture Warehouse
Permanent Change to
FP License

Applicants Kyle Tweter, Partner, Trevor Blackwell, Partner & Dan Wilson, Partner entered the meeting.

Staff presented a report on an application by El Furniture Warehouse Restaurant for a permanent change to the hours of sale and the addition of a food optional lounge endorsement to the food primary license. The current Monday – Saturday hours (9:00 am – 1:00 am) remain the same; the requested change would increase the Sunday hours of sale from the current

9:00 am – midnight to 9:00 am – 1:00 am. The application for a lounge endorsement would permit 20% of the 102 person indoor capacity (20 seats) as a food optional restaurant lounge where a drink could be ordered without the necessity of ordering food.

The applicant noted the intention is not to change the business model of the establishment, but to improve the service they are able to offer by accommodating the occasional guest that may want a drink without having food. The area will be clearly identified as a distinct area for guests to have a beverage, with or without food.

LLAC Member Questions/Comments:

1. Will the seats be food primary seats? Yes, the seats will be food primary seats with a lounge endorsement.
2. Is it possible to have lounge seats on a patio? It was noted that LCLB policy allows for some patio seats to be designated as food optional, but it could not increase the total number of lounge seats. The current application does not include any lounge seats on the patio.
3. It was noted that the designated lounge area within El Furniture Warehouse is a popular spot for families.
4. Staff supports the application as an amenity that offers choice for visitors and residents.
5. One member questioned why the particular area was chosen for the lounge and expressed a concern for the experience a family might have while sitting in a food optional area. Is there an opportunity to look at another area for the lounge seats? Applicant noted that LCLB requires food optional areas to be physically distinct, and the selected area best meets that criterion. However, the applicant will investigate other opportunities in the restaurant to have a family area.
6. WFRS has no concerns with the application.

Moved by Mike Varrin
Seconded by Sheila Kirkwood

That LLAC supports the application from EL Furniture Warehouse Restaurant for a permanent change to hours of sale to 9:00 am to 1:00 am Monday through Sunday and supports the addition of a 20 seat food optional restaurant lounge.

CARRIED

One opposed

Council Update

Councilor Grills commented on Council priorities for 2014.

OTHER BUSINESS

LLAC Meeting Schedule

Staff proposed that the regularly scheduled monthly LLAC meeting be moved to the first Thursday of the month instead of the current second Thursday. The revised meeting schedule would coordinate better with the

timing of liquor related reports prepared for Council meetings, which are normally scheduled for the first and third Tuesdays of the month. The effect of the change would be to streamline the process for businesses applying to make liquor license changes.

The proposed change would commence in February 2014.

Moved by Frank Savage
Seconded by Mike Varrin

That the 2014 LLAC meetings be moved to the first Thursday of the month commencing February 6, 2014.

CARRIED

ADJOURNMENT

Moved by Mike Varrin

That the Liquor License Advisory Committee be adjourned.

CARRIED

Meeting adjourned at 9:35 a.m.

Chair: Mike Varrin

Secretary: Frank Savage



WHISTLER

MINUTES

REGULAR MEETING OF MEASURING UP SELECT COMMITTEE OF COUNCIL (MUSCC) WEDNESDAY, NOVEMBER 13, 2013, STARTING AT 3:10 P.M.

**In the Community Room at Whistler Public Library
4329 Main St., Whistler, BC V0N 1B4**

Members - Present

Andrée Janyk, Councillor, RMOW
Chelsey Walker, Executive Director, Whistler Adaptive Sports Program
Mary Ann Collishaw, Manager Member Relations, Tourism Whistler
Melissa Deller, Whistler Community Services Society, SNAP Coordinator
Sarah Johnston, Service Coordinator, Whistler Chamber of Commerce
Sue Lawther, Mature Action Committee
Wendy Aitken, Director Guest Services, Whistler Blackcomb

Members - Absent

Phil Chew, BC Para Alpine Ski Team Coach

Municipal Staff

Kevin Damaskie, Sustainability Coordinator & MUSCC Chair
Sarah Tipler, Measuring Up Coordinator, & MUSCC Vice-Chair &
Secretary
Monica Urbani, Recording Secretary

Adoption of Agenda

Moved by Sarah Tipler
Seconded by Chelsey Walker

That MUSCC adopt the Regular MUSCC agenda of November 13, 2013.
CARRIED.

Adoption of Minutes

Moved by Wendy Aitken
Seconded by Sarah Tipler

That MUSCC adopt the Regular MUSCC minutes of June 5, 2013.
CARRIED.

Access Whistler

Discussion:

1. Access Whistler guide has been produced for the last 3 years.
2. Basic frame work into the existing website as is.
3. Push product into January of new year.
4. Make sure we are aligning information consistently with all partners
5. Repurposing of The Whistler Way ads to support Access Whistler.
6. Advertising campaign in local media to 8 weeks after holidays.
7. Landing page is Access.Whistler, getting around – this will provide details for accessible venues; things to do – activities.
8. Brief explanation of policy and plans.
9. Measuring Up community partners.
10. Accessible features in whistler.ca.
11. There are more care providers within the community that are available.
12. Is there information on the site about moving to Whistler? WHA has properties with accessible features.

13. When we see demand, then there will be more of a case to work with WHA.
14. If you are seeking accessible housing in Whistler, we should note on the webpage that they contact WHA.
15. There are two housing options, WHA or if we have an athlete they need to contact Whistler Sport Legacy for housing.
16. Need to identify if the person is seeking "long term" or "short term"?
17. Do we have built into our plan for accessible housing? Need to check this on the website. Check the content development.
18. Whistler.ca is the first place to get them going into the correct direction. The goal is to have Whistler.ca one stop shop.
19. The local government website is the best location to start with, then drive them to other sites via Whistler.ca.

Planat Implementation Discussion:

1. Planat is an accessibility venue rating tool and is user driven; they would like us to use their tool, they will permit us to use their site for a short period of time with no fee. Web based application, we can track who takes accessibility bookings. Sarah has been working with the Rick Hansen staff.
2. City of Richmond has their widget of Planat; we should contact City of Richmond and City of Vancouver for their feedback on the widget.
3. The list of Whistler properties need to be accurate. Sarah has flagged the data and Planat will update.
4. Committee member's position is to not pay to participate with Planat.
5. Staff is checking on how Planat is dealing with City of Richmond & City of Vancouver.
6. Whistler.com has stated that they will not pay as TripAdvisor does not request payment, which is a relevant comparable service. Accommodation information only was given to Planat from Whistler.com
7. We are moving forward with Planat; our position is our brand of Whistler is a value add to their developing product.
8. Chamber members to rate at no cost.
9. Memorandum of understanding should be created.
10. We asked them to create a step by step on how to rate; we need to get it written down and distribute at our next meeting;
11. We need a go or no go decision;
12. Whistler.com has done what they will do for this year;
13. Giving some input about parks, the asset gathering will be contributed? the Planat goes into further detail; we need direction from senior staff to give staff permission to rate our parks
14. Planat is similar to TripAdvisor but for physically challenge. Any user can go in and view a specific venue, the venue itself can rate itself (i.e. measure doors, washrooms, etc.)
15. Whistler.com has agreement with TripAdvisor as long as Whistler.com places TripAdvisor advertising within their website
16. We would feature Planat on Whistler.ca. The scope is getting bigger, i.e. Chamber is handing out how to rate to members;

MINUTES

Regular Measuring Up Select Committee of Council Meeting

November 13, 2013

Page 3

17. Planat page goes to Whistler.com, and we will have the data; we are trying to build a business case for accessible tourism.
18. Planat goes to TW and has a separate meeting. The site is very informative
19. Planat Stats – summary click thru 1% (from Whistler.ca Oct 12 – Nov 11); 9 pages per visit; 5 plus minutes per site per visit; users are engaging content.
20. Based on the stats above, we are getting focused engagement from Planat users
21. Deadlines were not to do with Planat but of us to coordinate information to make sure we are all consistent; we want to do this in a new year
22. Website review – March 1st is when WASP will be getting their new website; Whistler.com is redoing their site around March 1st as well. For a website review redo at this time is redundant;
23. What members of this committee feel a commitment to include the Planat widget on their website? None of the members feel a commitment, especially if there is a cost. WASP does not feel the need for widget; Whistler/Blackcomb tends to use WASP website.
24. Sarah & Kevin to meet with Dan to get further details.
25. The end result for Whistler.com, feels it could clutter their site; Whistler.com needs to see the traffic report
26. Get monthly traffic report from Planat
27. This does not go from a free trial to cost per user; we need to see the value of content
28. Reporting does show the relevancy; if we can include the report to the minutes and agenda.
29. Test period of 3 months is small, we need to hit all seasons plus repeat, we should try one year but two preferable.
30. Whistler.ca/accessibility should be on other websites, with a link to access whistler landing page; requested that Whistler/Blackcomb to include a widget/link to Whistler.ca/accessibility.
31. Websites that have point of sales built into them, need to tell us what is the solution from driving potential clients away from the point of sale site.
32. There appears to be no solution at this point; continued monitoring necessary.
33. There is no value into taking the Planat widget to where it is now.
34. Chamber is about business not for guests, therefore Whistler.ca/accessibility if currently not linked.
35. The chamber should send out to members information that there is an accessibility market, more of a “be aware”. The Chamber website is not oriented to guests but to businesses.
36. Whistler.com is happy to put the Whistler.ca/accessibility link onto their website.
37. The content that we developed is relative to guests and businesses; spirit program could share the link.
38. Follow up with an email, where do you think we can help you with a boiler plate onto your website.

ACTION: Scoping Planat relationship and getting back to group at next meeting
ACTION: Try to get a longer time period for Planat pilot.
ACTION: We need to strengthen relationship with Planat – no cost
ACTION: Sarah & Kevin need to do research if there is an appetite to do a venue assessment of parks – need to take to Council.

NEW BUSINESS

Member Updates

WASP - BC Association of Community Living is working with young adults with cognitive issue who currently who live in Whistler, creation of inclusive and independent housing to young adults.. BCACL, Sea to Sky Community Services and the life skills agency is working the young adults 18+ for inclusive living. Future would include 6 month trial block. Nothing is required from this Committee on this action. They are only seeking existing funds. First time that BCACL met with ADSP and are supporting 32 individuals from across Canada
Delta Hotel is renovating entire property and looked at Jeff Harbers Centre as model and adaptive housing stock at Cheakamus Crossing.
Solider On is here Feb 9 – 19, 2014; 40 soldiers participating with all 5 Paralympic sports will be represented.

Melissa - the Savvy guide that was previously titled Access Whistler, changed name to make it more engaging. Storyline are related to right sizing housing and lifestyle to support aging in place.
Seniors expo and flu clinic November 5 can learn what is available to them within the community, plus they could get flu shot;
Seniors expo has My Health My Community representative UBC student taking on project, provincial project on how their health is based living in their community. Lot of feedback from both the participant and surveyor.
Jill Ackhurst Thursday, November 21st, table hosts required are 40, Melissa is still searching for table hosts. Welcomedinner@hotmail.com, if you can volunteer. Must be there at 5 pm.

Next Wednesday is Spirit Talks, November 19 registration is at 3 pm.

ADJOURNMENT

Moved by Chelsea Walker

That MUSCC adjourn the November 13, 2013 committee meeting at 4:28 p.m.

CARRIED.

CHAIR: Kevin Damaskie

VICE CHAIR and SECRETARY: Sarah Tipler

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 th day of, 2014.

READ A SECOND TIME this th day of, 2014.

READ A THIRD TIME this th day of, 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
--------------	-----------------

From: Amor Verdeflor [averdeflor@share.ca]

Sent: Friday, January 24, 2014 2:33 PM

To: info

Subject: New Study! Downloading Survey from the Centre for Civic Governance at Columbia Institute



CENTRE FOR CIVIC GOVERNANCE



Dear Mayor Nancy Wilhelm-Morden and Resort Municipality of Whistler Council,

I am writing to invite your participation in our Centre for Civic Governance Municipal Downloading Study. The study seeks to measure how much downloading is taking place and quantify resources civic leaders have for new responsibilities assumed by your municipality.

“Downloading” is a buzz-word that every BC local government leader intuitively knows, but the full scope and scale of the problem across the province is not actually well understood. While many anecdotes exist, and the topic is consistently raised at gatherings of municipal leaders, there is currently little hard data illustrating the ‘big picture’ of downloading.

Our hope for the final report, anticipated in the spring of 2014, is to provide a clear ‘big picture’ of downloading to help you better explain the issues that your municipality, and all local governments, are facing as a result of downloaded and offloaded responsibilities.

You’ll find a survey specifically designed to respect your time enclosed, for return by February 28th, 2014. There are three versions of the survey:

1. **For locally elected leaders:** a 5-minute questionnaire to identify key issues for community leaders across BC. All locally elected leaders are invited to respond.

[**CLICK HERE FOR COUNCIL, MAYOR & REGIONAL DISTRICT DIRECTOR SHORT-FORM QUESTIONNAIRE**](#)

2. **For CAOs (*and elected leaders who wish to respond in more detail*):** a 20- to 30-minute survey that asks for more detailed information on downloading/offloading.

[**CLICK HERE FOR CAO / DETAILED SURVEY**](#)

3. **For CFOs / Treasurers:** This version requires a few numbers. It will help develop a better picture of just how much money downloading/offloading is costing BC communities. We kindly ask Councils and/or CAOs to forward this email to their CFO/Treasurer with a request to complete. It should only take one to two hours. [**CLICK HERE FOR CFO SURVEY**](#)

Note to CAOs: The CFO survey asks whether your CFO is willing to participate in follow up case studies. We think that our report will be much more useful to you if we research examples of downloading in more detail and tell the story through case studies. We will do as much research as we can by reviewing budgets online, but we will still need to interview CFOs to validate our findings. **Please encourage your CFO to volunteer for follow up case studies.**

This survey is an initiative of the Centre for Civic Governance, a Canadian public policy institute that works with community leadership to meet today's social and environmental challenges.

Sincerely,



Charley Beresford
Executive Director, Centre for Civic Governance

Research Team:

Gaetan Royer, CityState Consulting (former CAO of Port Moody and Manager of Metropolitan Planning, Regional Parks & Environment at Metro Vancouver)

Robert Duffy, Research Analyst, Centre for Civic Governance

Advisory Committee:

Dan Rogers, former councillor and Mayor, City of Prince George

Sharon Sheppard, former councillor and Mayor, City of Kelowna

Judy Brownoff, Councillor, District of Saanich

Bill Harper, Councillor, City of New Westminster

Emmanuel Machado, CAO, Town of Gibsons

Derek Bates, former CAO, City of Prince George

A NOTE ABOUT DOWNLOADING

When we talk about downloading, we're referring to something other than an IT function! Instead, the term downloading - or 'offloading', as some prefer to call it – encompasses a range of ways the provincial and federal governments have passed along administrative costs, service provision, capital costs and other expenses to local levels of government. Some ways this happens include:

- Direct transfer of a previously federal or provincial responsibility to local government, without adequate resources;
- Regulatory changes that require additional administrative work, operational or capital spending by municipalities;
- Federal or provincial cancellation of programs and services that the public needs and expects, leaving local governments to “pick up the slack”;
- Cancellation or underfunding of grants or transfers that local governments rely upon to provide expected or mandated services;
- Senior levels of government failing to address problems that should normally fall under their jurisdiction, such as homelessness or mental health services, and indirectly “passing the buck” to local governments to cope with these problems via locally funded programs, infrastructure and services.

January 2014
i2i Intergenerational Society of Canada
www.intergenerational.ca 1-250-308-7892

Dear Mayor and Council,

Your city joined over 100 communities and 4 provinces across Canada in proclaiming and endorsing **June 1st** as **Intergenerational Day Canada** in 2013. Thank you for making a powerful statement about the value of intergenerational relations within your community. As the numbers of cities and provinces acknowledging this focus day grows, the more vibrantly the message is heard across the nation. With that in mind, we are requesting your Proclamation of **June 1st** **Intergenerational Day 2014**

This 5th **Intergenerational Day Canada**

- * **Reminds** people of the importance of simple and respectful connecting between generations.
- * **Raises awareness** of the many benefits inter-generational connecting brings to education, health and community safety.

Respectful and purposeful inter-generational connecting is a way to prevent isolation and mistreatment of older and younger generations. It effectively creates safer and more resilient communities. By breaking down ageism, we build all-age-friendly neighborhoods.

A Proclamation (attached e.g., Victoria, BC) will encourage those within your community already involved in inter-generational activities to share and celebrate. As well, our organization will invite and assist others within your jurisdiction to build bridges of understanding between age groups. We will provide ideas on our website and through local media, and assist citizens in networking their ideas. There is no financial or other commitment requested from you. This is an awareness initiative only.

If your community would like to participate in any way, contact us, or check out the ideas for IG Day Canada at www.intergenerational.ca.

Thank you for your 2013 proclamation and we look forward to continued support. Please consider working towards a stronger Canada by Proclaiming **June 1st** officially as **Intergenerational Day Canada** in 2014.

Sincerely,
Sharon MacKenzie, Executive Director
i2i Intergenerational Society of Canada

*Intergenerational Day Canada is acknowledged in the following government publications:

-PHAC document- [Across the Generations—Respect All Ages](http://www.intergenerational.ca/images/stories/pdfs/AcrossGenerationsEnglish.pdf)

English- <http://www.intergenerational.ca/images/stories/pdfs/AcrossGenerationsEnglish.pdf>

French- <http://www.intergenerational.ca/images/stories/pdfs/AcrossGenerationsFrench.pdf>

-International Federation on Ageing/PHAC/International Network for the Prevention of Elder Abuse publication, [Elder Abuse Awareness Teen Kit](http://www.intergenerational.ca/images/stories/pdfs/Elder-Abuse-Awareness-Teen-Tool-Kit.pdf), Intergenerational Day, p. 20 <http://www.intergenerational.ca/images/stories/pdfs/Elder-Abuse-Awareness-Teen-Tool-Kit.pdf>

See below: template-example of Proclamation
(ON OFFICIAL COUNCIL STATIONERY)

PROCLAMATION

INTERGENERATIONAL DAY CANADA JUNE 1st

WHEREAS *Intergenerational Day Canada, June 1st, is meant to raise awareness about the simplicity and power of intergenerational connections*

WHEREAS *Intergenerational Day Canada, June 1st is a day to focus on the profound positive influence intergenerational connecting has in creating healthy, all-age friendly communities*

WHEREAS *Intergenerational Day Canada, June 1st is a day to celebrate all of the good things presently taking place between generations in local community*

WHEREAS *Intergenerational Day Canada, June 1st does not require funding, excessive time or extensive planning*

WHEREAS *Intergenerational Day Canada, June 1st will have its greatest strength as a reminder, an invitation for every individual to take one small respectful step to bridge generations within his or her local community. (How much effort and time does it take to smile at someone from a different generation...with such huge sustainable return?)*

AND NOW THEREFORE, we, the Mayor and Council, do hereby proclaim the day of

June 1st

as

“Intergenerational Day Canada”

in the town/city of _____.

IN WITNESS WHEREOF, I hereby set my hand this the (date)_____

Signed _____ (City Seal)

From: Brian Wolfgang Becker [<mailto:brianwbecker@gmail.com>]
Sent: Friday, January 31, 2014 11:44 AM
To: Mayor's Office
Cc: MayorandCouncil; mayor.broughton@lionsbay.ca; rkirkham@squamish.ca; admin@pemberton.ca
Subject: Fwd: Functional Art Installations - Spirit Trees Hwy 99

Attn: Mayors & Councils - West Vancouver, Lions Bay, Squamish, Whistler and Pemberton.

Please find the following attached information for your review as it may in the future find itself finished and standing in your various communities along Hwy 99.

Thank you for your time and consideration.

Brian Wolfgang Becker

Burnaby, BC

Phone: 604 724 6360

----- Forwarded message -----

From: **Brian Wolfgang Becker** <brianwbecker@gmail.com>
Date: Fri, Jan 31, 2014 at 9:32 AM
Subject: Functional Art Installations - Spirit Trees Hwy 99
To: Clare Ogilvie <edit@piquenewsmagazine.com>
Cc: john.weston.c1e@parl.gc.ca, john@piquenewsmagazine.com

Good morning Clare & John.

Thank you for running my Letter To The Editor. John mentioned he may wish to do a story on this at some point. I'm not sure if it warrants such at this point in time but I leave that up to you at Pique Newsmagazine to decide. Attached photo is mine if you care to use it in story.

I believe this kind of project can fly, hover or sink depending upon various considerations that are mostly out of my hands at this time. Formulating a base of information and getting permissions granted is really the first hurdle as I see it. Obtaining grants or promissory capital for the project the second. Creating a great team for design/build/installation the third. Locating a base of operations and an entity that will properly administrate the project and budget is another that will need to happen along the way at some point soon.

I have sent the attached to our Provincial Government to consider before getting to involved in this because the door could quickly be shut on this if they are not in favour of it. Looking down the distant road on this project in completion, I see the journey of Hwy 99 taking on a new life that is enhanced by Spirit Trees for safer travel, aesthetic engagement particularly at night when so much is in darkness and from a tourism development and art appreciation point of view another reason to travel Hwy 99.

Feel free to call me should you have any questions at this point in time. [604 724 6360](tel:6047246360).

Kind Regards: Brian Wolfgang Becker

----- Forwarded message -----

From: Brian Wolfgang Becker <brianwbecker@gmail.com>

Date: Thursday, January 30, 2014

Subject: Functional Art Installations - Spirit Trees Hwy 99

To: "OfficeofthePremier, Office PREM:EX" <premier@gov.bc.ca>

Cc: "Minister.Transportation@gov.bc.ca" <Minister.Transportation@gov.bc.ca>

Attn. Honorable Premier, Christy Clark & Minister Of Transportation, Todd Stone.

Good afternoon.

I would like to introduce to you a new creative concept that I am currently pursuing as a potential new project and a ongoing employment opportunity which would most definitely involve obtaining your general endorsement and the permissions of the BC Provincial Government and local municipal governments of West Vancouver, Lions Bay, Squamish, Whistler and Pemberton prior to moving ahead. I would like to get those before asking others to begin investing their time and requesting financial backing from various potential sources including the Resort Municipality Of Whistler RMOW Initiative Funds, Audain Foundation, and any other private or public contributions that may be offered in support of this project undertaking over a period of approximately 2-5 years. The time frame would depend upon the size of the design and build team and the installation roll out as best determined. Total estimated cost of \$2.5 - \$3 million dollars for creative concept development, design, build, supply and installation for approximately 100-150 Spirit Trees which would be one of a kind functional sculpture installations situated between Horseshoe Bay & Pemberton along Hwy 99. A very intriguing public art display for both day and night to encourage safer travel outcomes. Please see the attached information for your review. Thank you for your time and consideration.

Sincerely: Brian Wolfgang Becker

<http://www.piquenewsmagazine.com/whistler/letters-to-the-editor-for-the-week-of-january-30th/Content?oid=2544493>

Brian Wolfgang Becker
201- 6730 Dunblane Ave.
Burnaby, BC
V5H3K6
604 724 6360

Spirit Tree **Introduction:**

It's amazing to think just how much the sport, world of skiing, Whistler and the journey to and from has changed over the past 45 years. I made my very first trip up to Whistler for a family ski vacation in 1970 as a child. My parents soon after purchased a chalet in Whistler and we all continued to visit and ski as a family in Whistler throughout the 1970's, 1980's, 1990's and in varied amounts in more recent years for work and play.

In the early days of skiing in Whistler, winter was something you still experienced on a more frequent basis here in Vancouver. A drive up to Whistler on old Hwy 99 was truly an adventure when snowing. For mom and dad, I am sure a white knuckled one with four kids in tow. Before you arrived either in Whistler or back in Vancouver you had to run the gauntlet of Hwy 99. When you finally arrived you knew you were in one of the best places on earth and when in Whistler a winter paradise. The prize was some of the best skiing in North America and possibly the world and most knew nothing about it. The valley back then was usually frozen for the most part from mid November through March with no visible signs of global warming or climate change. It was just full on winter and some of the most magical ski moments you can imagine. Summer now provides the same but in different ways. Spring and fall are evolving.

In 1980 the real steady evolution to a modern day busy four seasons resort and the Whistler of today began. It completed itself in many respects with the Olympic build up and the redesign and reconstruction of Hwy 99. The journey of this highway has over the past 45 years taken many lives and seriously injured others for many different reasons. Today Hwy 99 is vastly improved through millions of dollars in upgrades and allows one to travel it in a much shorter time at a higher speed.

We still however lose people each year and the Hwy 99 snake while stretched and widened still steals away loved ones all too often for tragic reasons. It is to these people that we lost whom we honor through the presence of Spirit Trees on Hwy 99 for the purpose of reminding all constantly of the potential high cost of this travel, a warning of the ever present danger, the need to be experienced, focused, mechanically sound and at our best when making this journey while cycling or driving and to at least be visible while walking on Hwy 99.

Spirit Tree **Discussion:**

Giving consideration to the what, where, who, when and why aspects of Spirit Trees raises many questions about the process of discovery for first of all obtaining the background information and history pertaining to Hwy 99 collisions, fatalities and those involved going back to 1966 when Garibaldi Whistler Mountain first opened.

Determining how much information is really required for the collective intake of information of each incident in order to provide for quantity and storyboard background for the designers/artists/craftsmen to create Spirit Trees is in of itself a subject for debate and discussion.

Personally I do not wish to drill down into the individual fatalities or fatal collisions more then to know whom, how many fatal accidents and how many major collisions or crashes there have been, how many people died and approximately where within .5 kilometer on Hwy 99 if possible. Limited discussion on the amount of information, personal details and general associations is a personal consideration to all the families and loved ones impacted by these past events. If anything I think that any visual yet abstract storyboard about the individuals if considered should be about how these people lived in celebration of life as apposed to how and they have died.

It's my opinion that all Spirit Trees should be unique and one of a kind as were the people and the factors that may have played into each incident. How many are created, installed over what period of time and where are additional questions that will need to be answered. Some rough estimated figures indicate each installed Spirit Tree would cost approximately \$16,000 to design, build and install given 100-150 as a potential number with a maximum total design, build and install budget of \$2.4 million. An annual maintenance budget would need to follow yearly on an ongoing basis for one person that has the skill sets required, estimated at approximately \$50,000 for all materials and labor. Since 1966, there may have been 100-150 fatal crashes on Hwy 99 between Horseshoe Bay and Pemberton with the number of serious collisions no doubt in the thousands. Because Hwy 99 has been changed dramatically, redesigned and rebuilt those areas that once may have been extremely dangerous on the original Hwy 99 are possibly no longer to the same degree. I think that 20 - 30 Spirit Trees designed, built and installed each year is a good target to consider with a two - five year window for completion. Obtaining public, private or a combination of financing for such will be a more obtainable objective with that goal in mind and given all permissions.

Spirit Trees **Objectives:**

1) Art & Design Objectives:

- A) Create one of a kind abstract form sculptures to general specification outlined using various metal(s) in combination with glass and illuminating lights that represent joyous life, movement, and or gathering. These will be married together into a designed, formed and finished concrete base structure.
- B) Art, design, function and communication to hold these values in duality both day and night.
- C) Finished sculptures first visible from a distance of 250 meters or more and no closer then 5 meters from highway shoulder at closest point to any moving traffic.
- D) Must withstand all outdoor elements over an extended period of time with low maintenance \$ values over 25 years. (Maximum service twice per year for cleaning sculptures and replacing light bulbs etc.)

2) Functional Objectives:

- A) To continually remind drivers, cyclists and pedestrians of the need to be ever focused and engaged through the journey on Hwy 99, be it for only a few steps, kilometers or the full distance.
- B) Remind all of us of the great cost that many others have paid in pursuit of our enjoyment in living, working and playing in Sea To Sky Country.
- C) Light beacons that illuminate to celebrate the various aspects of life.
- D) Changing mindsets in our personal and collective approach to travelling and commuting on Hwy 99. Encouraging safety in travel.

3) Communications Objectives:

- A) Frequently visually engage drivers, passengers, cyclists, pedestrians along Hwy 99 to meet the functional objectives.

Spirit Trees

Specifications:

General Specifications & Estimated Costs:

Concrete Base Construction: A formed fixed concrete platform can be free standing or incorporated into a solid rock face along predetermined locations along Hwy 99. Shape can be varied but must be large enough to fully support the Spirit Tree structure and a solar panel for energy feed for night time illumination. Should not be more than 2 cubic meters or less than 1 cubic meter if free standing. Not more than 1 cubic meter and not less than .5 cubic meters if attached to a granite rock face.

Estimated Unit Cost Range = [REDACTED] for base design, forms, supply and install and finish concrete, strip forms and finish concrete ready for Spirit Tree structure installation.

Spirit Tree General Structure: Can be free formed and or geometric, Variable in height, width and depth. Maximum Height = 10 meters Minimum Height = 1 meter Maximum Width = 4 meters Minimum Width = .25 meters. Constructed of metal or a combination of metals and glass that produce an aesthetic and long lasting framework for incorporating the spirit lights. Maximum Depth = 3 meters Minimum Depth = .25 meters Must be able to withstand all environmental elements: including sunshine, heat, rain, snow, wind, freeze and thaw cycles over a period of 25 years with a low bi yearly maintenance value and requirements. Must also have a mounting system that provides for a permanent fixed and secure attachment to the concrete base structure. In of itself the structure serves as a daylight art installation and sculpture of visual beauty.

Estimated Structure Unit Cost Range = [REDACTED] for design, materials, build, delivery and onsite installation.

Spirit Tree Lights Illumination: Various forms of light illumination that are beautiful and intriguing yet not distracting or intense to those driving along Hwy 99. They can be constant, fading in and out in illumination or blinking. White light or varied in color or combination of colors. Small and or larger. Lights are fixed within or onto the Spirit Tree structure. They must be able to withstand all the weather elements listed above and be able to stand alone for 6 months without service of bulbs or replacements. LED preferred for minimum energy requirements.

Estimated Lighting Unit Cost Per Spirit Tree Structure = [REDACTED] for supply and installation of all lighting bulbs and components including electrical feeds to solar panels.

Power Supply Solar Panel(s): Can be multiple or just one depending upon power requirements for Spirit Tree structure illumination. Will be mounted to a concrete base structure or a sub base structure as best installed for maximum life and efficiency of power generation and minimum exposure to the aggressive outside elements as listed above.

Estimated Unit Cost per solar power system supply. = [REDACTED] for supply and installation.

Road construction flagging and flag control during all installations. Estimated unit cost per installation = [REDACTED]

Estimated Total Unit Cost Per Full Installation: = Range [REDACTED]

From: claudio.gravelle.a1@parl.gc.ca [claudio.gravelle.a1@parl.gc.ca]
Sent: Thursday, February 06, 2014 10:16 AM
Subject: National Dementia Strategy: Municipal Resolution and C-356

Dear Mayor and Councillors,

As elected officials, you will know both professionally and personally the monumental healthcare crisis posed by Alzheimer's and related dementia diseases facing Canada.

It is a non-partisan disease requiring non-partisan solutions at the federal, provincial and municipal levels.

The figures tell us we must act now - over ¾ million Canadians affected, to double to 1.4 million in a generation; a cost of \$33 billion to skyrocket to \$293 billion by 2040.

I was with my siblings an overwhelmed caregiver dealing with my mom's Alzheimer's. That is why I drafted this legislation.

I am sending the attached English and French municipal resolution hoping you will pass it, forwarding notification and copies (postage free) to my office and to Prime Minister Stephen Harper and Health Minister Rona Ambrose.

Already, over 100 municipalities in Ontario have passed the resolution.

If you have any questions, do not hesitate to contact me at this email address.

Claude Gravelle MP
Nickel Belt

Chers Maire et Conseillers,

En tant qu'élus, vous êtes au courant, sur le plan professionnel et personnel, de la crise profonde que causent la maladie d'Alzheimer et les autres troubles de démence dans le secteur des soins de santé au Canada.

Il s'agit de maladies non partisans qui requièrent des solutions non partisans aux échelons fédéral, provincial et municipal. Les données nous disent qu'il faut agir dès maintenant - plus de 750 000 Canadiens sont atteints de ces maladies, et on s'attend à ce que ce nombre double pour atteindre 1,4 million de personnes en une génération. Les coûts, qui se chiffrent actuellement à 33 milliards de dollars, atteindront 293 milliards de dollars d'ici 2040.

Avec les membres de ma famille, je me suis occupé de ma mère, qui était atteinte d'Alzheimer, et j'étais dépassé par la situation. C'est pourquoi j'ai rédigé ce projet de loi.

Vous trouverez en pièce jointe la résolution municipale (version anglaise et française). J'espère que vous l'approuverez et que vous en enverrez avis et des copies (sans frais postaux) à mon bureau, ainsi qu'au premier ministre Stephen Harper et au ministre de la Santé Rona Ambrose. Déjà, plus de 100 municipalités de l'Ontario ont adopté la résolution. Si vous avez des questions, n'hésitez pas à communiquer avec moi à la présente adresse courriel.

Claude Gravelle MP
Nickel Belt
2945 Hwy 69 N., Suite 203
Val Caron, LON
P3N 1N3
[Claude.gravelle.a1@parl.gc.ca](mailto:Claudio.gravelle.a1@parl.gc.ca)
705-897-2222

A Resolution in Support of a National Dementia Strategy

Whereas Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that cause thinking and memory to become seriously impaired;

Whereas Alzheimer's disease and other dementias most often occur in people over the age of 65 but can strike adults at any age; and

Whereas Alzheimer's disease and other dementias affect more than 500,000 Canadians currently and that this figure is projected to reach 1.1 million within a generation; and

Whereas Alzheimer's disease and other dementias also takes their toll on hundreds of thousands of families and care partners; and

Whereas an estimated further three million Canadians face the burden and challenges of providing care for those suffering with Alzheimer's disease and other dementias; and

Whereas there is no known cause or cure for this devastating illness; and

Whereas the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges; and

Whereas Canada, unlike many countries, does not have a national dementia strategy; and

Whereas there is an urgent need to plan and raise awareness and understanding about Alzheimer's disease and other dementias for the sake of improving the quality of life of the people it touches; and

Whereas MP Claude Gravelle Nickel Belt has introduced Bill C-356, *An Act respecting a National Strategy for Dementia*, as he works for broad, all party and non partisan support for an issue that touches us all. His legislation calls for a national plan that includes the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, investments in research and other (advisory board, objectives, investment in research, and caregivers and more)

Now therefore, the City of **INSERT YOUR TOWN HERE** calls on all levels of government and the Federation of Municipalities to adopt a national dementia strategy, and urges all citizens of our communities to become more aware and engaged concerning the far-reaching effects of this devastating disease.

Résolution en faveur d'une stratégie nationale sur la démence

Attendu que la maladie d'Alzheimer et les autres formes de démence sont des maladies évolutives et dégénératives du cerveau qui entraînent une détérioration de la pensée et de la mémoire;

Attendu que la maladie d'Alzheimer et les autres formes de démence se déclarent le plus souvent chez les personnes âgées de plus de 65 ans, mais peuvent se déclarer à tout âge;

Attendu que plus de 500 000 Canadiens souffrent actuellement de la maladie d'Alzheimer ou d'autres formes de démence et que ce chiffre, selon les estimations, pourrait atteindre 1,1 million d'ici une génération;

Attendu que la maladie d'Alzheimer et les autres formes de démence affectent également des centaines de milliers de familles et de conjoints aidants naturels;

Attendu qu'on estime à trois millions de plus le nombre de Canadiens qui devront assumer le fardeau et les défis associés au fait d'être l'aidant naturel d'une personne souffrant de la maladie d'Alzheimer ou d'une autre forme de démence;

Attendu qu'il n'existe pas de cause ou de remède connu à cette maladie dévastatrice;

Attendu que le coût de notre système de soins de santé se chiffre en milliards, et ne peut qu'augmenter, alors qu'il connaît déjà d'énormes difficultés financières;

Attendu que le Canada, contrairement à de nombreux pays, ne possède pas de stratégie nationale sur la démence;

Attendu qu'il est urgent de planifier et d'accroître la sensibilisation et la compréhension de la maladie d'Alzheimer et des autres formes de démence afin d'améliorer la qualité de vie des personnes qui en souffrent;

Attendu que Claude Gravelle, député de Nickel Belt, a déposé le projet de loi C-356, Loi concertant une stratégie nationale sur la démence, et travaille à obtenir un large appui, multipartite et non partisan, à cette cause qui nous touche tous. Son projet de loi prévoit l'adoption d'un plan national visant à définir des stratégies en matière de soins de santé primaires, de promotion de la santé et de prévention de la maladie, de développement des soins communautaires, de participation des conjoints aidants naturels, ainsi que d'investissements dans la recherche et ailleurs (conseils consultatifs, objectifs, investissements dans la recherche, aidants naturels, etc.);

Par conséquent, la ville du Grand Sudbury demande à tous les ordres de gouvernement et à la Fédération des municipalités d'adopter une stratégie nationale sur la démence, et exhorte tous les citoyens de nos collectivités à s'informer mieux et à se mobiliser plus au sujet des répercussions considérables de cette maladie dévastatrice.



SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

100 - 1st Avenue East Prince Rupert, BC V8J 1A6

Phone: (250) 624-2002 Fax: (250) 627-8493

Website: www.sqcrd.bc.ca

RECEIVED

FEB 11 2014

February 3, 2014

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

Dear Councillors/Board:

Re: BC Ferries Service Cuts

On behalf of the Skeena-Queen Charlotte Regional District (SQCRD) Board, I am writing in regards to the BC Ferries service cuts and fare increases, announced by the Province of BC on November 18th, 2013.

The Board is undivided in its concern over the rising costs and the proposed reduction in ferry services to coastal communities. In many of our communities, affordable ferry service is as necessary as the highway systems to the remainder of B.C. As a vital transportation link throughout the province, BC Ferries has a significant influence on both our local and provincial economies, and is integral to the daily functioning of many of our residents and businesses.

The BC Ferry Coalition, an ad hoc steering committee of allied residents from coastal communities around B.C., has already completed a mass rally in opposition of the cuts and is encouraging B.C.'s coastal residents to write letters to the Premier describing how the proposed service cuts and higher fares will affect their families and communities. For instance, many hotels across the province have already shown concern over the sustainability of their business, as they are seeing an unprecedented amount of booking cancellations brought on by the BC Ferries service cuts.

The coalition is gaining support from an array of coastal residents, as well as local governments, private industry and businesses, chambers of commerce, and other stakeholders. The SQCRD Board strongly supports the BC Ferry Coalition and its continued efforts in opposing the recent BC Ferries service cuts and fare increases.

To date, the SQCRD has been unsuccessful in scheduling a meeting with Premier Christy Clark to further discuss the myriad of problems surrounding this issue. Moving forward, we request that you show your support against the ferry service cuts by:

1. Writing to the Premier

Writing letters to the Premier, requesting that she schedule a joint-meeting with local governments and First Nations to further discuss this issue. Additionally, copy your letters to the SQCRD and the BC Ferry Coalition.

2. Supporting the BC Ferry Coalition

Because the BC Ferry Coalition is actively carrying out valuable work toward opposing the service cuts and fare increases, I would request that each Council or Board support the coalition in its endeavours by conveying their support by way of a resolution or letter to the coalition.

If you have any further questions, comments or concerns, please do not hesitate to contact the SQCRD.

Thank you for your consideration in this matter.

Yours truly,

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT



Barry Pages
Chair

Attachments: 2

Cc: Skeena-Queen Charlotte Regional District Board
BC Ferry Coalition

Attachment 1

Resolution from the January 24, 2014 Skeena-Queen Charlotte Regional District Board Meeting

014-2014

MOVED by Director Ashley, SECONDED by Director Kinney, that the Board support the BC Ferry Coalition.

I hereby certify that this is a true and correct copy of Resolution No. 014-2014 made by the Board of the Skeena-Queen Charlotte Regional District on the 24th day of January, 2014.

Dated at Prince Rupert, BC this 24th day of January, 2014.

Daniel Fish
Deputy Corporate Officer



SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

100 - 1st Avenue East Prince Rupert, BC V8J 1A6

Phone: (250) 624-2002 Fax: (250) 627-8493

Website: www.sqcrd.bc.ca

Attachment 2

January 31, 2014

Office of the Premier of British Columbia
PO Box 9041 STN Prov Govt
Victoria BC V8W 9E1

Attention: Honourable Premier Christy Clark

Dear Premier Clark:

Re: BC Ferries Service Cuts

On behalf of the Board of the Skeena-Queen Charlotte Regional District (SQCRD), I am writing to request a joint-meeting with you, and other affected communities in the province, to discuss the recent BC Ferries service cuts and the serious and detrimental impacts that they will have in our communities.

The Skeena-Queen Charlotte Regional District Board is categorically opposed to the position that the Province of BC has taken in regard to the BC Ferries service cuts and fare increases. Furthermore, the Board is supportive of the BC Ferry Coalition and its continued efforts to oppose these cuts and fare increases.

I look forward to hearing from you shortly about your availability to schedule this meeting. In the meantime, if you have any questions please feel free to reach me through the contact information provided.

Yours truly,

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

Barry Pages
Chair

:df

From: Whistler Pottery Club [<mailto:whistlerpotteryclub@gmail.com>]
Sent: Tuesday, February 11, 2014 11:04 AM
To: Mayor's Office
Subject: Local Celebrity Servers needed

Dear Mayor and Council

On February 21, 2014 the Whistler Pottery Club in partnership with the Squamish Lil'wat Cultural Centre is offering the community Empty Bowls, a unique food bank fundraiser.

The Whistler Pottery Club members have created and collected 100 hand made pottery bowls from their members and other potters in the Sea to Sky Corridor. The SLCC has generously donated the venue and their support in coordinating this event. Local chefs are creating and donating gourmet soups for the occasion. And other local businesses are sharing items to make this event a success.

For a \$30 tickets attendees: select a handmade bowls of their choice, fill the bowl from a selection of soups accompanied by bannock. At the end of the lunch attendees can pack up their bowl and take it home, as a reminder of all the empty bowls in the world.

From ticket sales and accompanying raffle we hope to raise \$3500. All proceeds from Empty Bowls will go to supporting local food banks at WCSS, SSCS Pemberton and the Squamish Food Bank.

Empty Bowls takes place in communities throughout North America and it is now coming to Whistler for the first time on February 21, 2014 from 12-2.

This fundraiser is an opportunity for the community to come together and enjoy some of the delicious soup offerings of Whistler chefs while contributing to a very worthy cause. Bowls donated to the event are now on display at the Whistler Public Library .

How Mayor and Council can help? We are looking for "local celebrities" to serve the soup to attendees and we are hoping that a few of you could contribute a half and hour of your time at the event to serve up some soup. Any time you could contribute as a soup server would be greatly appreciated!

For more information you can email or call 604.902.3647. We look forward to hearing from you.

Sincerely,
Margaret Forbes
Whistler Pottery Club
1149 Whitewater Drive, Whistler BC V0N1B1
"Open your hearts - Fill an empty bowl"
More information about Empty Bowls 2014 can be found at:
<http://whistlerpotteryclub.com/emptybowls/>