

### WHISTLER

### AGENDA

REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, JANUARY 14, 2014, STARTING AT 5:30 PM

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

#### **ADOPTION OF AGENDA**

Adoption of the Regular Council agenda of January 14, 2014.

#### **ADOPTION OF MINUTES**

Adoption of the Regular Council minutes of December 17, 2013.

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

#### PRESENTATIONS/DELEGATIONS

2013 RCMP Statistics and 2014 RCMP Annual Policing Priorities A presentation from RCMP Inspector Neil Cross regarding the 2013 RCMP Statistics and 2014 RCMP Annual Policing Priorities.

#### **MAYOR'S REPORT**

#### **ADMINISTRATIVE REPORTS**

LLR 1167 – El Furniture Warehouse Permanent Changes to a Food Primary Licence Report No. 14-001 File No. LLR 1167 **That** Council authorize the resolutions attached as Appendix "A" to Administrative Report No. 14-001 providing Council's recommendation to the BC Liquor Control and Licensing Branch in support of an application from El Furniture Warehouse Restaurant for a Permanent Change to Licensed Hours of Sale for Food Primary License No. 171712, to extend hours of sale to 9:00 am to 1:00 am Monday through Sunday; and further,

**That** Council pass the resolutions attached as Appendix "B" to Administrative Report No. 14 -001 providing Council's recommendation to the Liquor Control and Licensing Branch regarding an Application from El Furniture Warehouse Restaurant for a Structural Change for Food Primary License No. 171712 to permit a 20 seat restaurant lounge.

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Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013 Report No. 14-002 **That** Council considers giving first, second, and third readings to Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013.

DVP 1076 - 5598 Alta Lake Road - Setback Variances Report No. 14-003 File No. DVP 1076 **That** Council approve Development Variance Permit 1076 to vary setback regulatio for proposed roof overhangs at 5598 Alta Lake Road as follows:

- 1. Vary the front setback from 6.6 metres to 0.5 metres for the proposed roof overhang;
- 2. Vary the south side setback from 2.0 metres to 1.11 metres for the proposed roof overhang; and
- 3. Vary the rear setback from 6.6 metres to 1.77 metres for the proposed roof overhang,

to the extent shown on the building plans attached to Council Report No.14-003 as Appendix "B".

Annual Filing - Whistler Housing Authority Report No 14-004 File No. Vault **WHEREAS** the Resort Municipality of Whistler is the sole shareholder of Whistler Housing Authority Ltd. ("the Company");

**PURSUANT** to the Articles of the Company, the following resolutions are passed as resolutions of the sole shareholder of the Company, duly consented to in writing by all of the directors of the sole shareholder of the Company.

**That** Council waive the requirement of holding an Annual General Meeting of the shareholder of Whistler Housing Authority Ltd., deemed to be held on December 7. 2013:

**That** Council accept the attached Financial Statements of Whistler Housing Authority Ltd. for the year ending December 31, 2012;

**That** Council resolve that the following persons be and are hereby appointed directors of the Company, so that the Board of Directors is therefore composed of the following seven persons, to hold office until the next Annual General Meeting or until their successors are elected or appointed:

Jonathan Decaigny
Sharon Fugman
Brian Good
John Grills
Michael Hutchison
Duane Jackson
Nancy Wilhelm-Morden;

**That** Council endorse the appointment of BDO Canada as auditor of Whistler Housing Authority Ltd. for the current fiscal year; and further

**That** the Mayor and Corporate Officer be authorized to sign the annual Shareholder's Resolutions as attached (in lieu of the 2013 Annual General Meeting) of Whistler Housing Authority Ltd.

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#### MINUTES OF COMMITTEES AND COMMISSIONS

Advisory Design Panel

Minutes of the Advisory Design Panel Committee meeting of November 20,

2013.

**Public Art Committee** 

Minutes of the Public Art Committee meeting of October 23, 2013.

#### BYLAWS FOR FIRST, SECOND AND THIRD READINGS

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

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

#### **OTHER BUSINESS**

#### **CORRESPONDENCE**

ISACA Vancouver Privacy and Security Awareness Day **Proclamation Request** File No. 3009.1

Correspondence from Charles Wordsworth on behalf of the Information Systems Audit and Control Association (ISACA), dated December 11, 2013, requesting that Council proclaim February 6, 2014 as British Columbia Privacy and Security Awareness Day.

Local Government Elections Reform File No. 9120

Correspondence from Coralee Oakes, Minister of Community, Sport and Cultural Development dated December 12, 2013, requesting feedback on local government elections reform.

**BC Healthy Communities** Society Grant File No. 9070.6

Correspondence from Paul Martiquet, Medical Health Officer for Vancouver Coastal Health, dated December 20, 2013, regarding the Healthy BC Communities Initiative.

No. 303, 1083 Recommendations (Houseguests) File No. 7625

Zoning and Parking Bylaw Correspondence from Alan G. Whitney and Irene E. Whitney, dated December 31, 2013, regarding Zoning and Parking Bylaw No. 303, 1983 recommendations for houseguests.

Pride Week Proclamation Request

File No. 3009.1

Correspondence from Dean Nelson, CEO and Executive Producer of GayWhistler dated January 3, 2014, requesting that Council proclaim the week of January 26<sup>th</sup> to February 2<sup>nd</sup>, 2014 as Pride Week and during the week hang the Rainbow Flag at Municipal Hall.

Forests as Carbon Credits File No. 8221

Correspondence from Tracey Saxby, received January 6, 2014, regarding information about using forests as carbon credits.

#### **ADJOURNMENT**



### WHISTLER

### MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, DECEMBER 17, 2013, STARTING AT 5:30 PM

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

#### PRESENT:

Mayor N. Wilhelm-Morden

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

and R. McCarthy

Chief Administrative Officer, M. Furey

General Manager of Corporate and Community Services, N. McPhail

General Manager of Infrastructure Services, J. Paul

General Manager of Resort Experience, J. Jansen

Director of Finance, K. Roggeman

Director of Planning, M. Kirkegaard

Acting Corporate Officer, L. Schimek

Manager of Communications, M. Comeau

Manager of Special Projects, T. Battiston

Senior Planner, M. Laidlaw

Planner, R. Brennan

Senior Communications Officer, C. Piech

Planning Technician, B. McCrady

Recording Secretary, N. Best

#### ADOPTION OF AGENDA

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

**That** Council adopt of the Regular Council agenda of December 17, 2013.

**CARRIED** 

#### **ADOPTION OF MINUTES**

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

That Council adopt the Regular Council minutes of December 3, 2013.

**CARRIED** 

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

Dave Buzzard, 9295 Emerald Drive inquired about the use of take away bags in Whistler.

Mayor Wilhelm-Morden responded that during the Committee of the Whole

meeting today (December 17, 2013), Mayor and Council discussed the use of take away bags in Whistler, specifically plastic bags as staff were reporting on a 6 month update on the plastic bags study. Council is looking for more information on options and staff intend to come back to Council with actual resolutions in the new year. Mayor Wilhelm-Morden added it is likely that staff will recommend to Council to ban biodegradable bags, move cautiously in respect to any other bans. Additionally there will be an introduction of a pilot project to implement a reusable bag program through AWARE and the American Friends of Whistler.

Mr. Buzzard asked if there was feasibility on switching from plastic bags to paper bags.

Mayor Wilhelm-Morden responded that there are environmental factors that come into play, which were discussed at the Committee of the Whole meeting, but it is still an option.

#### PRESENTATIONS/DELEGATIONS

Whistler 2020 Development Corporation A presentation was given by Eric Martin, Chair of Whistler 2020 Development Corporation regarding an update and work towards a Long Term Strategic Plan.

2013 Community Enrichment Program Report Backs (\$10,000 and over) A presentation was given by Megan Reynolds, Resource Development Manager of the Howe Sound Women's Centre Society regarding their funding from the Community Enrichment Program.

A presentation was given by Chelsea Walker, Executive Director of the Whistler Adaptive Sports Program regarding their funding from the Community Enrichment Program.

A presentation was given by Jerome David, President and Craig Mackenzie, Vice-President and Youth Director of the Whistler Off Road Cycling Association (WORCA) regarding their funding from the Community Enrichment Program.

A presentation was given by Suzie Soman, Director of Early Childhood Development Services from Sea to Sky Community Services regarding their funding from the Community Enrichment Program.

#### **MAYOR'S REPORT**

Mayor Wilhelm-Morden reported that the final stages of the municipal hall renovations are now underway. The purpose of the renovations were to improve the customer service area, the service environment, and customer accessibility. The three areas are now open to the public. Mayor Wilhelm-Morden added that the accessibility ramp outside is due for completion soon. Mayor Wilhelm-Morden thanked the public and staff for enduring the construction process.

On behalf of the RMOW and Council, Mayor Wilhelm-Morden congratulated Susan Greening on her appointment as Director for the Audain Art Museum. Mayor Wilhelm-Morden welcomed Susan to Whistler and is looking forward to working with her once she is finished her duties at the Reach Gallery in

Abbotsford, BC.

Mayor Wilhelm-Morden reported that several members of Council and staff participated in a BC Transit elected officials forum. The forum was an opportunity for the participants to discuss Sea to Sky Regional Transit outlook and discuss the terms of reference. The next meeting is scheduled for January 14, 2014 in Squamish.

Mayor Wilhelm-Morden reported that on December 19, 2013 there will be a change of command ceremony presented by the RMOW and the Whistler Fire Rescue Service at the Whistler Village Fire Hall. The ceremony will change over command from Fire Chief Rob Whitton to newly appointed Fire Chief Sheila Kirkwood. Mayor Wilhelm-Morden added that the ceremony is open to the public, and will include remarks from RMOW and Whistler Fire Rescue staff.

Mayor Wilhelm-Morden announced that the RMOW and CUPE Local 2010 reached a four-year agreement last week. It was ratified last week and approved by Council in today's closed meeting.

Mayor Wilhelm-Morden reported that during the Closed Council meeting today on December 17, 2013, Ron Dennison and Michelle Kirkegaard were appointed to the Public Art Committee. Mayor Wilhelm-Morden congratulated the new members and thanked them for the commitment to volunteerism.

Mayor Wilhelm-Morden announced that the Olympic Plaza Outdoor Skating Rink opened on Saturday, December 14, 2103. Five Hundred people arrived to enjoy the opening day and the cupcakes. Skating at the rink is free, skate rentals are \$5.00 each, and is open from 11:00 a.m. until 9:00 p.m. with special holiday hours. Over 16,000 people skated on the rink last year.

Mayor Wilhelm-Morden reported on the upcoming holiday events in Whistler including:

- Santa Claus will be at the Whistler Conference Centre on December 21.
- Santa Claus will be skating on the Olympic Plaza Skating Rink on December 22.
- Family Après is starting on December 23 until March 26 for two evenings per week.
- The New Year's Eve celebration, which is an alcohol free family event. More information and tickets are found at Whistler.ca

Mayor Wilhelm-Morden reported that there will be increased transit buses running the weekend schedule of service on December 20<sup>th</sup> until January 5<sup>th</sup>, with free buses on New Year's Eve from 6:00 p.m. until 4:00 a.m.

Mayor Wilhelm-Morden reviewed some of the accomplishments that the RMOW has achieved over the course of the last year along with some of the goals that have been identified for 2014:

 In 2013, four significant reports were delivered to council: the Whistler Community Cultural Plan, the Learning and Education Task Force

report, the Recreation and Leisure Master Plan and the Economic Partnership Initiative (EPI) Committee's Summary of Key Findings Report. These plans were delivered with significant observations and recommendations. For example, the EPI report included researched that shows that Whistler has an annual GDP of \$1.3 billion dollars, generates \$1.1 million in taxes per day and is responsible for 22.5 per cent of tourism export revenues. The GDP created in Whistler is equivalent to the combined agricultural and fisheries sectors in this province. The research from the EPI report will guide the RMOW's decisions now and in the future.

- The Learning and Education Task Force report provided a framework for assessing post-secondary educational opportunities and it recommended that the municipality identify up to five initiatives to pursue over the course of the next three to five years.
- One of the goals for 2014 is to incorporate the recommendations of the four reports into the short and medium term work plan.
- Another foundational document that was finalized in 2013 is the Official Community Plan. Unfortunately it has been challenged by the First Nations. An obvious goal for 2014 will be to conclude that litigation.

#### Mayor Wilhelm-Morden listed other milestones in 2013:

- Successful first year of operations for the permanent ice surface at Whistler Olympic Plaza with 16,000 skaters using that rink in a threemonth period;
- Adoption of the rezoning bylaw for the Audain Art Museum (ground breaking took place in fall 2013);
- The Whistler Public Library opened on Sundays;
- Whistler hosted the first of five successful and well-received IRONMAN triathlons:
- Whistler opened two new parks: Bayly Park in Cheakamus Crossing and Florence Petersen Park in the Village;
- Whistler had its busiest summer on record;
- The RMOW saw continued progress on the illegal space issue;
- Amendments were made to liquor licensing laws;
- Whistler saw improvements to transit services;
   Concluded a second year of zero per cent tax increase;
   The RMOW completed reasonable wage settlements with municipal staff:
- Council made their decision regarding the Whistler International Campus;
- Mayor Wilhelm-Morden visited Karuizawa, Whistler's Sister City this past summer; and,
- Whistler received a number of awards including the Google eTown Award, Best Weekend Getaway, Best Winter and Summer Destination, Best International Family Ski Resort and several others.

#### Mayor Wilhelm-Morden reported the Goals for 2014:

- Completion of the Municipal Hall renovations;
- The back of house customer service project; and,
- Incorporation and implementation of the recommendations from the four major reports that we received and adopted this year.

Mayor Wilhelm-Morden thanked staff for their guidance, support and input they provided Council, which allowed them to accomplish what they did in 2013. Mayor Wilhelm-Morden also thanked her fellow Councillors for their continued dedication and hard work, and thanked members of the community who sat on committees and task forces or otherwise provided input in the many public meetings the RMOW held in 2013. Mayor Wilhelm-Morden concluded by saying that she is looking forward to 2014 and on behalf of Whistler Council, she wished all residents and visitors a safe and happy Christmas.

#### **INFORMATION REPORTS**

Whistler.ca Update Report No. 4956 File No. 13-112 Moved by Councillor D. Jackson Seconded by Councillor J. Grills

That Council receive Information Report No. 13-112 Whistler.ca Update.

CARRIED

Third Quarter Investment Report – 2013 Report No. 13-113 File No. 4572 Moved by Councillor A. Janyk Seconded by Councillor D. Jackson

**That** Council receive Information Report No. 13-113 Investment Holdings as of September 30, 2013.

**CARRIED** 

#### **ADMINISTRATIVE REPORTS**

Emily Carr University of Art + Design - Letter of Agreement

Report No. 13-125 File No. 7725.05 Moved by Councillor R. McCarthy Seconded by Councillor J. Faulkner

**That** Council direct staff to execute the Letter of Agreement between the RMOW and Emily Carr University of Art + Design as included as Appendix "A" to Council Report No. 13-125.

**CARRIED** 

LLR 128 - Conference Centre Extension of Hours for WinterPride Report No. 13-123 File No. LLR 128 Moved by Councillor D. Jackson Seconded by Councillor J. Grills

**That** Council authorize hours of liquor sale from 11:30 am on Saturday, February 1, 2014 to 4:00 am on Sunday, February 2, 2014 at the Whistler Conference Centre; and further,

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

**CARRIED** 

DVP 1061 - 8441 Bear Paw Trail - Height and Setback Variances for Retaining Walls Report No. 13-118 File No. DVP 1061

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

**That** Council approve Development Variance Permit 1061 to vary retaining wall setback and height regulations for existing rock stack retaining walls at 8441 Bear Paw Trail as follows:

- 1. Vary the setbacks from 2.5 metres to 0 metres to accommodate portions of retaining walls on the west side of the property and vary the retaining wall height from 0.6 metres to 1.15 metres, and
- 2. Vary the setbacks from 2.5 metres to 0 metres to accommodate portions of a retaining wall on the east side of the property, and vary the retaining wall height from 0.6 metres to 1.88 metres,

to the extent shown on the survey plan prepared by Doug Bush Survey Services Ltd., dated June 11<sup>th</sup>, 2013, attached Council Report No. 13-118 as Appendix "C".

**CARRIED** 

DVP 1074 - 8024 Cypress Place -Retaining Wall Variances Report No. 13-124 File No. DVP 1074 Moved by Councillor J. Grills Seconded by Councillor D. Jackson

**That** Council approves Development Variance Permit Application 1074 to vary retaining wall setback and height regulations for existing retaining walls at 8024 Cypress Place as follows:

- Vary the front setback from 2.0 metres to 1.67 metres for the existing retaining wall and vary the retaining wall height in the front setback from 0 metres to 0.58 metres;
- 2. Vary the north side setback from 1.0 metres to 0 metres for the existing retaining wall and vary the retaining wall height in the north side setback from 0 metres to 1.01 metres; and
- 3. Vary the south side setback from 1 metre to 0 metres for the existing retaining wall and vary the retaining wall height in the south side setback from 0 metres to 2.67 metres.

to the extent shown on the building plans attached to Council Report No.13-124 as Appendix "B", subject to modification of the existing tree preservation covenant.

**CARRIED** 

DVP 1065 - 7090 Nesters Road - Fence Height Variance Report No. 13-119 File No. DVP 1065 Moved by Councillor D. Jackson Seconded by Councillor A. Janyk

**That** Council authorize staff to issue Development Variance Permit No. DVP 1065 to vary the height of a proposed fence at 7090 Nesters Road from 2 metres to 2.5 metres, as shown on the Concept Site Plan and fence details submitted by the authorized agent Robert Douglas Bebb, attached as Appendices "C" and "D" to Administrative Report No. 13-119; and further

**That** Council direct staff to advise the applicant that the Development Variance Permit will be issued subject to the following conditions being completed to the satisfaction of the General Manager of Resort Experience:

- 1. Install and maintain landscaping consistent with an approved final landscape plan;
- 2. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the supply and installation of

the plant material, in accordance with Council Policy G-9; and

3. The landscaping and fence screening to be completed prior to October 31, 2014.

**CARRIED** 

DVP 1073 - 6681 Tapley Report No. 13-126 File No. DVP 1073

Moved by Councillor D. Jackson Place - Setback Variances Seconded by Councillor A. Janyk

> That Council approves Development Variance Permit Application 1073 to vary the side setbacks at 6681 Tapley Place as follows:

- 1. Vary the side setback from 3.0 metres to 1.2 metres for the proposed carport;
- 2. Vary the side setback from 3 metres to 0.97 metres and vary the rear setback from 3 metres to 0.53 metres, respectively, for an existing auxiliary building,

to the extent shown on the building plans attached to Council Report 13-126 as Appendix "B".

**CARRIED** 

DVP 1072 - 8316 Chalet Drive Front and Side Setback Variances Report No. 13-127 File No. DVP 1072

Moved by Councillor J. Crompton Seconded by Councillor J. Grills

That Council approve Development Variance Permit Application 1072 to vary the front and side setbacks at 8316 Chalet Drive for existing structures as follows:

- a. Vary the front setback from 7.6 metres to 7.33 metres for the existing detached dwelling.
- b. Vary the front setback from 5.0 metres to 3.85 metres for the existing
- c. Vary the front setback from 4.0 metres to 3.29 metres for the existing carport roof eave,
- d. Vary the front setback from 6.1 metres to 5.47 metres for the existing porch and porch foundation, and
- e. Vary the east side setback from 3.0 metres to 2.44 metres for the existing porch and porch foundation

to the extent shown on the survey plan submitted by the authorized agent. attached to Council Report No. 13-127 as Appendix "B".

**CARRIED** 

DVP 1055 - 8313 Chalet Drive – Side Setback Variances Report No. 13-128

File No. DVP 1055

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

That Council deny Development Variance Permit Application 1055 to vary the side setbacks at 8313 Chalet Drive for existing structures requested as follows:

1. Vary the east side setback from 3.0 metres to .95 metres for the

- existing deck and roof supports,
- 2. Vary the east side setback from 2 metres to 0.95 metres for the existing retaining wall, and
- 3. Vary the east side setback from 2 metres to 0.6 metres for the existing roof overhang.

to the extent shown on the building plans attached to Council Report No. 13-128 as Appendices "B" and "C".

CARRIED

Mayor Wilhelm-Morden left the meeting at 7:40 p.m. Mayor Wilhelm-Morden returned to the meeting at 7:42 p.m.

May Long Weekend Committee Report No. 13-129 File No. 2100 Moved by Councillor J. Crompton Seconded by Councillor J. Faulkner

**That** Council appoint a Select Committee of Council entitled the "2014 May Long Weekend Committee."

**That** Council appoint Councillor J. Grills to the 2014 May Long Weekend Committee and Councillor A. Janyk as an alternate; and further,

**That** Council endorse the Terms of Reference for the 2014 May Long Weekend Committee attached as Appendix "A" to Council Report 13-129.

CARRIED

Whistler 2020
Development Corp –
2013 Annual Filing
Report No. 13-130
File No. Vault

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

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole Shareholder of Whistler 2020 Development Corp., pass the consent resolutions of the Shareholder of the Whistler 2020 Development Corp., a copy of which is attached to Administrative Report No. 13-130 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.

**CARRIED** 

Emerald Dreams
Conservation Co. Ltd. –
2013 Annual Filing
Report No. 13-131
File No. Vault

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

**That** Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Emerald Dreams Conservation Co. Ltd; pass the consent resolutions of the sole shareholder of Emerald Dreams Conservation Co. Ltd; a copy of which is attached to Administrative Report No. 13-131 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the resolutions on behalf of the Municipality.

**CARRIED** 

Whistler Village Land Company – 2013 Annual Filing Moved by Councillor J. Crompton Seconded by Councillor J. Faulkner

Report No. 13-132 File No. Vault

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of the Whistler Village Land Co. Ltd. pass the consent resolutions of the shareholder of the Whistler Village Land Co. Ltd., a copy of which is attached to Administrative Report No 13-132 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.

**CARRIED** 

Cheakamus Leasing Corp. - 2013 Annual Filing

Report No. 13-133 File No. Vault

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

That Council of the Resort Municipality of Whistler in open meeting assembled, hereby resolves that the Municipality, as sole shareholder of Cheakamus Leasing Corp; pass the consent resolutions of the sole shareholder of Cheakamus Leasing Corp; a copy of which is attached to Administrative Report No. 13-133 as Appendix "A", and that the Mayor and Corporate Officer execute and deliver the attached resolutions on behalf of the Municipality.

CARRIED

#### POLICY REPORTS

Antenna Siting Policy Report No. 13-134 File No.7646

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

That the Antenna System Siting Protocol dated December 17<sup>th</sup>, 2013 and attached as Appendix "A" to Policy Report No. 13-134 be adopted by Council as Council Policy.

**CARRIED** 

#### MINUTES OF COMMITTEES AND COMMISSIONS

Measuring Up Committee

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

That minutes of the Measuring Up Committee meeting of June 5, 2013 be received.

**CARRIED** 

Liquor License Advisory Committee

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

That minutes of the Liquor License Advisory Committee meeting of October 9, 2013 be received.

**CARRIED** 

#### **OTHER BUSINESS**

2014 Acting Mayor

Moved by Councillor A. Janyk

Appointments File No. 3014.02 Seconded by Councillor D. Jackson

That the following members of Council be appointed as Acting Mayor for the months of January 2014 - December 2014 (inclusive):

> January: **Jack Crompton**

February: John Grills

March: Duane Jackson April: Roger McCarthy May: Andrée Janyk June: **Jack Crompton** July: Duane Jackson August: Roger McCarthy September: Andrée Janyk

October: Jayson Faulkner

November: Jayson Faulkner

December: John Grills

**CARRIED** 

#### **CORRESPONDENCE**

Community Enrichment Program Report Backs

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

That correspondence regarding 2013 Community Enrichment Program report backs from the following organizations be received:

- Community Foundation of Whistler
- **Bear Smart Society**
- Howe Sound Women's Centre Society
- Moving Mountains for Whistler Children
- Myrtle Philip Community School
- North Shore Schizophrenia Society
- Sea to Sky Invasive Species
- Sea to Sky Community Services Whistler Parent Tot Drop In
- The Point Artist Run Centre Society
- Whistler Adaptive Sports Program
- Whistler Centre for Sustainability
- Whistler Children's Chorus
- Whistler Fire Fighters
- Whistler Girl Guides
- Whistler Gymnastics
- Whistler Minor Hockey
- Whistler Naturalists
- Whistler Nordics
- WORCA

- Whistler Sailing Association
- Whistler Sea Wolves Swim Club
- Whistler Valley Quilters Guild
- Whistler Waldorf School
- Whistler Youth Soccer Club
- Zero Ceiling Society

**CARRIED** 

Sea to Sky Air Quality Committee of the Whole Meeting Follow-up Moved by Councillor A. Janyk Seconded by Councillor D. Jackson

**That** correspondence from Kim Slater, Executive Director dated December 6, 2013, regarding a follow up for the Committee of the Whole meeting from November 19, 2013 be received and referred to staff.

**CARRIED** 

#### **ADJOURNMENT**

Moved by Councillor J. Crompton

**That** Council adjourn the December 17, 2013 Council meeting at 8:14 p.m. CARRIED

MAYOR: N. Wilhelm-Morden

DEPUTY CORPORATE OFFICER: L. Schimek



# WHISTLER

### REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 14, 2014 REPORT: 14-001

FROM: Resort Experience FILE: LLR 1167

**SUBJECT:** LLR 1167 – EL FURNITURE WAREHOUSE PERMANENT CHANGES TO FOOD

PRIMARY LICENSE

#### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

#### **RECOMMENDATION**

**That** Council authorize the resolutions attached as Appendix "A" to Administrative Report No. 14-001 providing Council's recommendation to the BC Liquor Control and Licensing Branch in support of an application from El Furniture Warehouse Restaurant for a Permanent Change to Licensed Hours of Sale for Food Primary License No. 171712, to extend hours of sale to 9:00 am to 1:00 am Monday through Sunday; and further

**That** Council pass the resolutions attached as Appendix "B" to Administrative Report No. 14 -001 providing Council's recommendation to the Liquor Control and Licensing Branch regarding an Application from El Furniture Warehouse Restaurant for a Structural Change for Food Primary License No. 171712 to permit a 20 seat restaurant lounge.

#### **REFERENCES**

Applicant: El Furniture Warehouse Restaurant

Location: Unit #24 – 4314 Main Street

Appendices: "A" – Council Resolution – Change to Hours of Sale

"B" - Council Resolution - Restaurant Lounge

"C" – Location Plan
"D" – Applicant Letter

"E" – El Furniture Warehouse Restaurant Floor Plan

"F" - Minutes of December 12, 2013 LLAC Meeting (relevant excerpts)

#### **PURPOSE OF REPORT**

This report presents a recommendation for Council's consideration regarding an application for a permanent change to hours of sale for El Furniture Warehouse Restaurant. Further, the establishment has applied for structural change to a food primary license to designate a portion of its area as a food optional restaurant lounge.

For a permanent change to a food primary liquor license for hours of sale past midnight 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, whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose, and the views of residents. The proposed resolution in favour of the application, including the rationale for support, is attached as Appendix "A".

Provincial regulations for a structural change to a food primary license do not require a formal resolution from local government regarding a new or amended restaurant lounge; however, Business Regulation Bylaw No. 739, 1989 requires Council approval for any new or enlarged restaurant lounge. Staff have drafted a resolution for Council's consideration in a similar format to the standard LCLB formatted resolution. This resolution is attached as Appendix "B" and, if adopted, will be forwarded to the LCLB for their consideration and information.

#### **DISCUSSION**

El Furniture Warehouse Restaurant is located in Whistler Village on the ground floor of Deer Lodge in Village North (see Appendix "C" Location Plan). The licensed interior capacity is 102 persons, and the outdoor patio is licensed for 124 persons. The restaurant is seeking to enhance the services available to resort visitors and Whistler residents by extending liquor service to 1:00 am on Sunday nights and providing a food optional restaurant lounge.

The following provides an explanation and rationale for the license changes as well as the municipal process for reviewing the proposed changes.

#### **Application for Permanent Change to Hours of Sale**

The current and requested hours of liquor service are shown in the table below:

	Current Hours of Sale	Requested Hours of Sale
Monday through Saturday	9:00 am to 1:00 am	Unchanged
Sunday	9:00 am to midnight	9:00 am to 1:00 am

The applicant is requesting to expand its hours of sale to the full extent of the Municipality's hours of liquor service guidelines, which for restaurants are 9:00 am to 1:00 am, Monday – Sunday.

#### **Application for a Restaurant Lounge**

El Furniture Warehouse Restaurant is applying to designate a portion of its interior licensed area as a 20 seat food optional restaurant lounge, where patrons would be permitted the service of alcohol without the necessity to order food. There will be no increase in total capacity. See Appendix "D" for a letter from the applicant more fully describing the rationale for the restaurant lounge. See also Appendix "E" with a restaurant floor plan showing the location of the proposed lounge area.

Liquor Control and Licensing Branch (LCLB) policy allows for a restaurant with a person capacity of more than 50 persons to apply to designate up to 20% of the person capacity of the principal dining area (up to a maximum of 40 persons) as a food optional restaurant lounge. For El Furniture Warehouse the maximum lounge capacity would be 20 seats (20% of 102 person capacity of the interior dining area). LCLB policy further states that the lounge must, in the opinion of the LCLB general manager, appear to be an area that is visibly distinct from the primary dining area of the licensed establishment. When the restaurant lounge area is operating, all LCLB requirements for food primary establishments (primary focus on food, full kitchen service available at all times) and public safety requirements (no over-crowding, no under-age service, no over-service) must be observed.

#### **Current Good Standing Status**

In order for the Municipality to give consideration to an application requesting a permanent change to a license the applicant must be in "Good Standing" with respect to the compliance and enforcement history of the establishment. A Good Standing review was conducted to determine the compliance history of the applicant. The application was referred to the LCLB inspector, the

Whistler Detachment of the RCMP, the Whistler Fire Rescue Service and the RMOW Building and Bylaws Departments. Each was asked to provide a written list of any contraventions and their disposition for the 12-month period preceding the date of the application and any other comments considered to be relevant. There were no compliance issues identified, and the RCMP have determined the applicant to be in Good Standing.

#### **Liquor License Advisory Committee (LLAC) Review Process**

A summary of the applicant's proposal was referred by e-mail to LLAC members on November 1, 2013 and members were asked to provide their initial comments. These comments were incorporated into a report to the LLAC, which was presented at the December 12, 2013 meeting of the committee. The report addressed the LLAC review criteria regarding the need for the license change and the impacts on the resort community. Representatives of El Furniture Warehouse then provided a further rationale for the proposed license change and answered LLAC member questions about the application. (Relevant excerpts of the minutes of the LLAC meeting are attached herein as Appendix "F".) The committee then passed the following motion:

**That** the 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.

#### WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Visitor Experience	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again	The extended closing time to 1:00 am on Sunday nights and the restaurant lounge would provide for a more complete food and beverage experience for visitors and residents.
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital	The applied for liquor license changes would allow the restaurant to take full advantage of the business opportunities available to a food primary establishment.
Recreation & Leisure	Recreation and leisure is a core contributor to the Whistler economy	The enhanced service offerings at El Furniture Warehouse Restaurant will benefit the resort economy with an amenity for visitors and residents.

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	It is not likely that the extended Sunday night closing or food optional lounge will be a significant source of noise. Noise from the establishment will be contained inside the restaurant building. Doors and windows will be closed by 10:00 pm in accordance with the Good Neighbour Agreement. Dispersal at the end of the evening is not anticipated to be a problem.

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. El Furniture Warehouse Restaurant 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 *Municipal Liquor Licensing Policy*, a permanent license change to hours past midnight and the addition of a restaurant lounge to a food primary license specifies a public advertising period, a good standing review, a LLAC referral/report/recommendation, a staff report to Council and a resolution from Council addressing a number of specific criteria. The resolutions of Appendix "A" and Appendix "B" satisfy those requirements.

Council Policy G-17 hours of liquor service guideline for restaurants is "9:00 am to 1:00 am Monday through Sunday". 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 El Furniture Warehouse application complies with all provisions of Council Policy G-17 and, therefore, satisfies municipal policy requirements.

#### **COMMUNITY ENGAGEMENT AND CONSULTATION**

In compliance with municipal policy the applicant advertised the proposed permanent license changes to its food primary license in the November 7 and 14, 2013 editions of Pique Newsmagazine, and they posted a sign at the establishment (commencing November 7, 2013) 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 December 7, 2013. No comments were received.

#### **SUMMARY**

This report presents a recommendation for Council's consideration regarding an application for a permanent change to hours of sale and the addition of a restaurant lounge at El Furniture Warehouse Restaurant. The report also provides resolutions in support of the application for Council's consideration that address criteria specified by the LCLB. Those resolutions are 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

General Manager, Liquor Control and Licensing Branch

RE: Application for a Permanent Change to a Liquor License for a change to hours of sale as an amendment to El Furniture Warehouse Restaurant food primary license No. 171712.

At the Council meeting held on January 14, 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: It is not likely that the extended Sunday night closing will be a significant source of noise. Noise from the establishment will be contained inside the restaurant building. Dispersal at the end of the evening is not anticipated to be a problem. The establishment is subject to the provisions of the RMOW Noise Control Bylaw No. 1660, 2004. Doors and windows must be closed by 10:00 pm in accordance with the Good Neighbour Agreement. 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 visitors and residents. Negative impacts on the community are not anticipated as a result of the requested change to the license.
  - (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose: It is unlikely that a 1:00 am closing time of liquor service daily will result in the establishment being operated in a manner that is contrary to its primary purpose, as the emphasis is on food service rather than liquor service with this application. The establishment's operating procedures must ensure that it is operated at all times in a manner appropriate to its food primary license.
  - (d) The Council's comments on the views of residents are as follows: 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 at the front of the establishment (commencing November 7, 2013) and advertisements in the November 7 and 14, 2013 editions of Pique Newsmagazine. No comments were received. Further, the municipal Liquor

License Advisory Committee, comprising various community representatives, voted to support 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 January 14, 2014.

Sincerely,

Shannon Story CORPORATE OFFICER Resort Municipality of Whistler General Manager, Liquor Control and Licensing Branch

RE: Application for a Structural Change to a Food Primary License for a new 20 seat restaurant lounge at El Furniture Warehouse Restaurant, food primary license No. 171712.

At the Council meeting held on January 14, 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: It is not likely that the twenty-seat food optional lounge will be a significant source of noise. The applied for restaurant lounge seats are existing seats, full food service must be available at all times and the primary emphasis of the establishment must still be on food. Doors and windows must be closed by 10:00 pm in accordance with the Good Neighbour Agreement. The establishment is subject to the provisions of the RMOW 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 visitors and residents. Negative impacts on the community are not anticipated as a result of the requested change to the license.
  - (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose: It is unlikely that the license change will result in the establishment being operated in a manner that is contrary to its primary purpose, as the emphasis of the establishment must still be on food service rather than liquor service. The location and configuration of the lounge seats are subject to LCLB approval, and the establishment's operating procedures must ensure that it is operated in a manner appropriate to its food primary license.
  - (d) The Council's comments on the views of residents are as follows: 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 at the front of the establishment (commencing November 7, 2013) and advertisements in the November 7 and 14, 2013 editions of Pique Newsmagazine. No comments were received. Further, the municipal Liquor

License Advisory Committee, comprising various community representatives, voted to support the application."

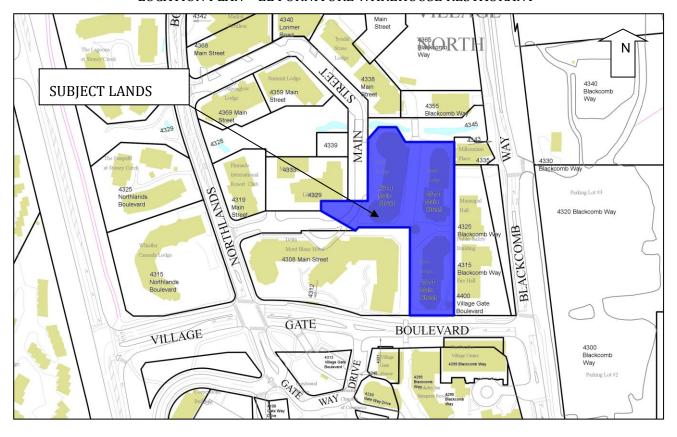
The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the Resort Municipality of Whistler on January 14, 2014.

Sincerely,

Shannon Story CORPORATE OFFICER Resort Municipality of Whistler

#### **APPENDIX C**

#### LOCATION PLAN - EL FURNITURE WAREHOUSE RESTAURANT



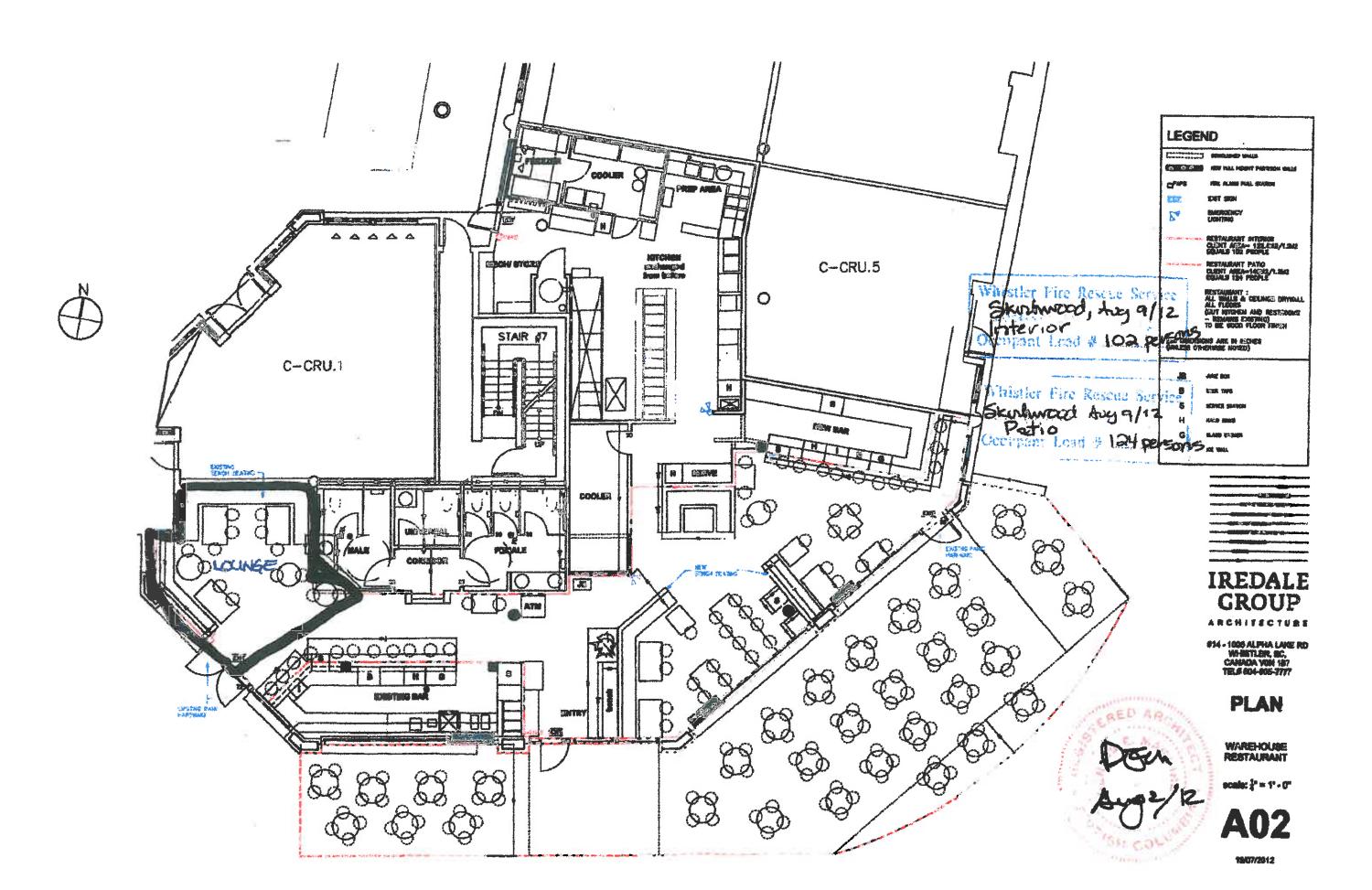


October 31, 2013

#### To Whom It May Concern:

El Furniture Warehouse Restaurant Whistler is requesting a lounge endorsement of 21 seats from the Municipality of Whistler. We are requesting this change so we can cater to all of the guests that come into El Furniture Warehouse. Occasionally guests come in, in groups of 4 to 6 and only half of them want to eat, by the letter of the Law, we need to refuse service to half the group in order for us to keep our primary focus on food. We want to cater to all sorts of people from kids and families who come in for food and drinks, to the Après crowd who come in for nachos, a burger and stick around for a few beers after the food. Giving El Furniture Warehouse a lounge endorsement would help keep us always in compliance with the food primary liquor laws of BC so that when a group come in to just have a couple drinks, we have a section for them so that they can enjoy our restaurant.

El Furniture Warehouse has been open since August 2012 and has continued to bring success and business to a previously struggling space and area. We offer an affordable price point with an amazing perceived value and topshelf customer service to both tourists and locals living within Whistler. We also have an ownership group consisting of may long time Whistler locals who are considered icons in their various extreme sports and are all highly respected in the community as athletes and businessmen. The operating/management company has a long running history of success starting in Vancouver more than 10 years ago and now consisting of 8 restaurants nationally. We have always been proactive in ensuring that no issues occur in relation to the restaurant and if any problems areas do arise we have been quick to respond and work with the municipality and/or our strata to rectify the issue immediately, efficiently and effectively which we will continue to do. We look forward to continuing to have open lines of communication and a long lasting respectful relationship with the Municipality of Whistler.



### Minutes of December 12, 2013 LLAC Meeting (Relevant Excerpts)

LLR 1167 El Furniture Warehouse Permanent Change to Food Priamry 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.
- 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** the 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** 



# WHISTLER

### REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 14, 2014 REPORT: 14-002

FROM: Resort Experience FILE: Bylaw 2038

SUBJECT: LAND USE PROCEDURES AND FEES AMENDMENT BYLAW NO. 2038, 2013

#### 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 readings to "Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013".

#### **PURPOSE OF REPORT**

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

#### DISCUSSION

Industry Canada requires a letter of concurrence or non-concurrence from a local government respecting new antenna system applications.

The Resort Municipality of Whistler's "Land Use Procedures and Fees Bylaw No. 2019, 2012" defines the procedures under which an owner of land may apply for a bylaw amendment or permit, imposes fees for such applications, specifies distances for the purpose of statutory notification, and delegates the Council's authority to issue certain permits; however it does not have a fee schedule for an antenna system application.

After reviewing Bylaw No. 2019 with the municipal solicitor, staff recommends that Council consider "Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013", to establish an appropriate fee structure for an antenna system application.

For antenna system applications staff recommend a fee of \$750 plus the rates in Schedule A to Bylaw No. 2019 for processing costs including staff time, title search, legal services, notification, etc. as required. This is the same fee structure as a non-delegated development permit that requires Council approval as the process for an antennae system application is similar. Staff will review each antenna system application against the recently adopted Antenna System Siting Council Policy and make a recommendation to Council after which a letter of concurrence or non-concurrence will be provided to Industry Canada.

The combination of a base fee and an hourly rate charge proposed in the bylaw will create a fair, equitable and transparent system, and is consistent with the approach taken for other applications covered by Bylaw No. 2019. The proposed fee and rates are based on the principle that the applicant, and not the taxpayer, should bear the costs of processing an application.

W2020 Strategy	TOWARD  Descriptions of success that resolution moves us toward	Comments
Finance	Financial principles, practices and tools employed by the Municipality effectively and efficiently balances its costs and expenditures.	The proposed fees and rate schedule is based on a cost recovery principle so that the applicant and not the taxpayer pays for the cost of processing the application.

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

#### OTHER POLICY CONSIDERATIONS

There are no other policy implications associated with this bylaw amendment.

#### **BUDGET CONSIDERATIONS**

The fee and rate schedule for antenna system applications proposed by Bylaw No. 2038, 2013 are based on a cost recovery principle so that the applicant and not the taxpayer pays for the cost of processing the application.

#### **COMMUNITY ENGAGEMENT AND CONSULTATION**

"Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013" does not require a public hearing.

#### **SUMMARY**

This report presents for consideration by Council, "Land Use Procedures and Fees Amendment Bylaw 2038, 2013", a bylaw to establish an appropriate fee structure for antenna system applications.

Respectfully submitted,

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



# WHISTLER

### REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 14, 2014 REPORT: 14-003

FROM: Resort Experience FILE: DVP 1076

SUBJECT: DVP 1076 - 5598 ALTA LAKE ROAD - SETBACK VARIANCES

#### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

#### **RECOMMENDATION**

**That** Council approve Development Variance Permit 1076 to vary setback regulations for proposed roof overhangs at 5598 Alta Lake Road as follows:

1. Vary the front setback from 6.6 metres to 0.5 metres for the proposed roof overhang;

2. Vary the south side setback from 2.0 metres to 1.11 metres for the proposed roof overhang;

3. Vary the rear setback from 6.6 metres to 1.77 metres for the proposed roof overhang,

to the extent shown on the building plans attached to Council Report No.14-003 as Appendix "B".

#### REFERENCES

Owners: Michael Blaxland and Bea Searle

Location: 5598 Alta Lake Road

Zoning: RSE1 (Residential Single Estate One) Legal Description: Lot 18, District Lot 2105, Plan 13277, NWD

Appendices: "A" Location Plan

"B" Building Plans

#### **PURPOSE OF REPORT**

The purpose of this report is to seek Council's approval of Development Variance Permit 1076 for 5598 Alta Lake Road. The applicant requests front, side and rear setback variances for proposed roof overhangs on a detached dwelling.

#### **DISCUSSION**

The subject property is located on the west side of Alta Lake at 5598 Alta Lake Road (Appendix A). The property is the most southerly of the residentially zoned single family development lots on the west side sandwiched between Alta Lake Road and the BC Rail tracks, north of Chaplinville and south of Rainbow Park.

The lots along the west side are generally smaller lots, many which are legal non-conforming with parcel areas less than the minimum parcel areas required for their zoning. The strip of eleven RS1 zoned lots north of the subject property have an average size of 465 square metres, ranging from 391 square metres to 563 square metres. The minimum parcel area for the RS1 zone is 695 square metres, with a minimum usable parcel area of 465 square metres. The subject property is the smallest lot along this strip, with a parcel area of 364 square metres.

The subject parcel was created by a subdivision approved in 1992 to accommodate an existing detached dwelling. At the time of subdivision the parcel was zoned RR1 (Rural Resource One). The property was subsequently zoned RS-E1 (Residential Single Estate One) in 2001 as part of a broader initiative to rezone existing privately owned RR1 parcels to RS-E1. The RS-E1 zone was generally intended to apply to larger lot low density single family development, and has a minimum permitted parcel area of 40 hectares. The subject property is legally non-conforming with respect to parcel size.

Although the subject property is zoned RS-E1 and the adjacent properties are zoned RS1, the two zones have a common maximum floor space ratio of 0.35, common setbacks requirements and common height restrictions.

On May 7, 2013 Council approved site coverage and several setback variances for the proposed redevelopment of the subject property under Development Variance Permit 1050.

According to the applicant, the current setback variance requests will enable larger roof overhangs to assist in protecting the building envelope and to decrease solar loading in the summer months.

Evaluation criteria for development variance permits have been developed by planning staff and the criteria are used to determine if the variance requests are reasonable, maintain the intent of the Zoning Bylaw and minimize any potential negative impacts on neighbours or the streetscape.

Table 1

i abic i	
Criteria	DVP 1076
Complements a particular streetscape or neighbourhood.	Negligible impact on streetscape.
Works with the topography on the site, reducing the need for major site preparations or earthwork.	N/A
Maintains or enhances desirable site features, such as natural vegetation, trees and rock outcrops.	N/A
Results in superior siting with respect to light access resulting in decreased building energy requirements.	Roof overhangs protect building envelope and decrease solar loading in summer months.
Results in superior siting with respect to privacy.	There are no immediately adjacent neighbours to the west, east and south.
Enhances views from neighbouring buildings and sites.	There will be no impact on views from neighbouring buildings and sites.
Negative impacts on neighbours or the streetscape	There will be more roof overhang on the front and south side setback. Neighbours across the street are at a higher elevation and should not be unduly impacted. The rear setback variance for the roof overhang will not be in view of the neighbours.

#### **WHISTLER 2020 ANALYSIS**

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Continuous encroachment on nature is avoided	Subject property is small and already cleared.

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

#### OTHER POLICY CONSIDERATIONS

None.

#### **BUDGET CONSIDERATIONS**

Development variance permit application fees provide for recovery of costs associated with processing this application.

#### **COMMUNITY ENGAGEMENT AND CONSULTATION**

Notices were delivered to the surrounding property owners and tenants in December 2013 as required by the *Local Government Act*. At the time of writing this report no responses have been received. Any written comments from neighbours received after the Council report deadline will be made available to Council at the January 14, 2014 meeting.

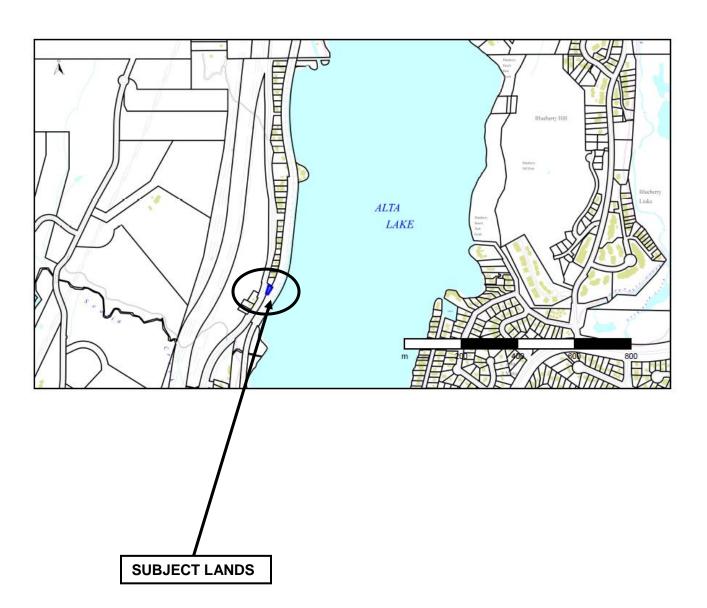
#### **SUMMARY**

The owners of 5598 Alta Lake Road have applied for front, side and rear setback variances for proposed roof overhangs on a detached dwelling for Council's consideration.

Respectfully submitted,

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

### Development Variance Permit Application No. 1076 – 5598 Alta Lake Road



# APPENDIX B



---- INDICATES HIDDEN OBJECTS ABOVE OR BELOW

### WALL ASSEMBLIES:

- W1: 12" THICK ICF RETAINING WALL

   DIMPLEBOARD FOUNDATION PROTECTION
   BLUESKIN PEEL AND STICK MEMBRANE
   2" RIGID INSULATION (EPS)
   8" CONCRETE
   2" RIGID INSULATION (EPS)
   1/2" GYPSUM BOARD
- W2: 10" ICF WALL

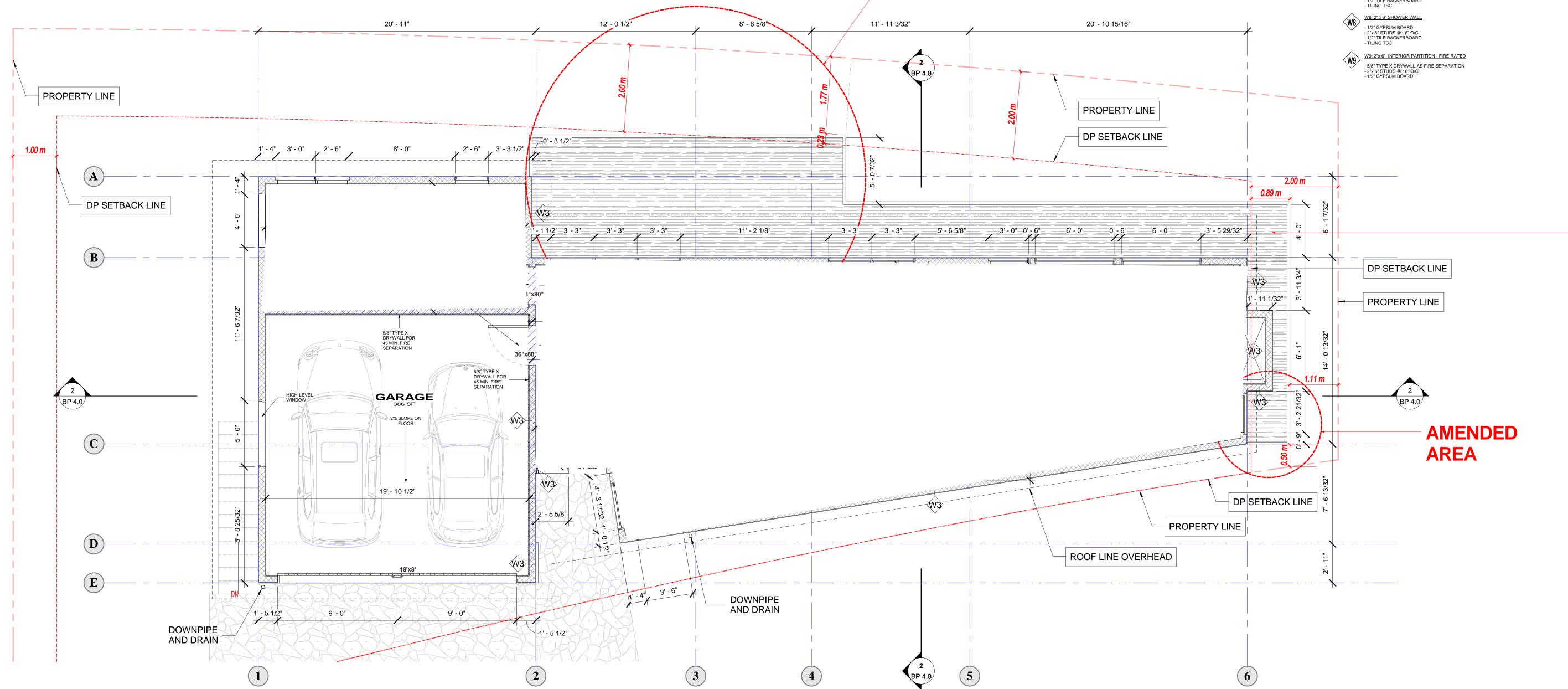
   2" RIGID INSULATION (EPS)
   6" REINFORCED CONCRETE
   2" RIGID INSULATION (EPS)
   1/2" GYPSUM BOARD
- W3: 6 1/2" SIP WALL (INSULSPAN)

  -1/2" ORIENTED STRAND BOARD
  -5 1/2" RIGID INSULATION (EPS)
  -1/2" ORIENTED STRAND BOARD
- W4: 2"x 4" INTERIOR PARTITION

   1/2" GYPSUM BOARD
   2"x 4" STUDS @ 16" O/C
   1/2" GYPSUM BOARD
- W5: 2"x 6" INTERIOR PARTITION
  -1/2" GYPSUM BOARD
  -2"x 6" STUDS @ 16" O/C
  -1/2" GYPSUM BOARD
- W6: 8" RETAINING WALL

  -8" REINFORCED CONCRETE AS PER ENGINEERS DRAWINGS
- W7: 2" x 4" SHOWER WALL

   1/2" GYPSUM BOARD
   2"x 4" STUDS @ 16" O/C
   1/2" TILE BACKERBOARD
   TILING TBC



**AREAS** 

GROSS FLOOR AREA

Main Floor (762sm) +

Double Height Space

(395sm)

1157 sf

**EXCLUDED AREAS** 

Garage + Mechanical Space + Suite + Lower

Floor (see BP1.3 for

calculation)

**AMENDED AREA** 

1653.5 sf

ROOF PROPOSED 370sf



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

Project 1302

BLAXLAND | SEARLE RESIDENCE 5598 Alta Lake Rd.

Client

Bea Searle | Michael Blaxland

Stage

DEVELOPMENT VARIANCE

Sheet Name
UPPER FLR PLAN AS
PROPOSED

Drawn By

Checked By

DV

Scale

Date

As indicated

Checked By

DV

DV

Sheet no.

**A2.1** 

1 UPPER FLOOR PLAN
A2.1 1/4" = 1'-0"

20' - 7 1/2"

GARAGE 421.01 sf

A2.1 / 1/8" = 1'-0"

AREA PLAN - UPPER FLOOR

MAIN

FLOOR

762 sf

53' - 10 21/32"

47' - 10 9/32"

OPEN TO LIVING

SPACE BELOW 395 sf

> MAIN FLOOR TOTAL 762 sf



## WHISTLER

### REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 14, 2014 REPORT: 14-004

FROM: Corporate & Community Services FILE: Vault

**SUBJECT:** ANNUAL FILING - WHISTLER HOUSING AUTHORITY LTD.

#### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

#### RECOMMENDATION

**WHEREAS** the Resort Municipality of Whistler is the sole shareholder of Whistler Housing Authority Ltd. ("the Company");

**PURSUANT** to the Articles of the Company, the following resolutions are passed as resolutions of the sole shareholder of the Company, duly consented to in writing by all of the directors of the sole shareholder of the Company.

**That** Council waive the requirement of holding an Annual General Meeting of the shareholder of Whistler Housing Authority Ltd., deemed to be held on December 7, 2013;

**That** Council accept the attached Financial Statements of Whistler Housing Authority Ltd. for the year ending December 31, 2012;

**That** Council resolve that the following persons be and are hereby appointed directors of the Company, so that the Board of Directors is therefore composed of the following seven persons, to hold office until the next Annual General Meeting or until their successors are elected or appointed:

Jonathan Decaigny Sharon Fugman Brian Good John Grills Michael Hutchison Duane Jackson Nancy Wilhelm-Morden;

**That** Council endorse the appointment of BDO Canada as auditor of Whistler Housing Authority Ltd. for the current fiscal year; and further

**That** the Mayor and Corporate Officer be authorized to sign the annual Shareholder's Resolutions as attached (in lieu of the 2013 Annual General Meeting) of Whistler Housing Authority Ltd.

Annual Filing – Whistler Housing Authority Page 2 January 14, 2014

#### **REFERENCES**

Appendix A - Shareholder's Resolutions - Whistler Housing Authority Ltd.

Appendix B - Financial Statements - Whistler Housing Authority Ltd., ending December 31, 2012

Appendix C - Directors Consent Resolution - Whistler Housing Authority Ltd.

#### PURPOSE OF REPORT

The purpose of this report is to seek Council's approval for the Mayor & Corporate Officer to execute the annual Shareholder's Resolutions of Whistler Housing Authority Ltd. ("the Company").

#### **DISCUSSION**

The filing of the 2013 Annual Report of Whistler Housing Authority Ltd. with the Registrar of Companies is now due.

The Shareholder's Resolutions for the 2013 Annual Report include:

1. The appointment of Directors, namely:

Jonathan Decaigny
Sharon Fugman
Brian Good
John Grills
Michael Hutchison
Duane Jackson
Nancy Wilhelm-Morden

2. The appointment of an Auditor:

Appointment of BDO Canada as auditor for the company.

3. Waive the holding of the 2013 Annual General Meeting:

The holding of the Annual General Meeting may be waived by a unanimous resolution of the shareholder of the Company. The Company's annual reference date that would have been deemed to be appropriate for the holding of the Annual General Meeting is December 7, 2013.

4. Financial Statements:

The Financial Statements of Whistler Housing Authority Ltd. is attached to this report for acceptance by Council.

#### OTHER POLICY CONSIDERATIONS

Pursuant to Section 182 of the *Business Corporations Act*, the shareholder may consent to all the business required to be transacted at the Annual General Meeting of the Company.

Annual Filing – Whistler Housing Authority Page 3 January 14, 2014

#### **BUDGET CONSIDERATIONS**

There will be minimal costs incurred for the filing of the documents with the Registrar of Companies.

#### **SUMMARY**

The 2013 Annual Report of Whistler Housing Authority Ltd. must be filed with the Registrar of Companies. This report seeks Council's approval of the Shareholder's Resolutions of Whistler Housing Authority Ltd. as attached in Appendix A to this report.

Respectfully submitted,

Laurie-Anne Schimek
DEPUTY CORPORATE OFFICER
for
Norm McPhail
GENERAL MANAGER CORPORATE & COMMUNITY SERVICES

Certificate of Incorporation No. BC0810519

#### WHISTLER HOUSING AUTHORITY LTD.

(the "Company")

#### SHAREHOLDER'S RESOLUTIONS

**WHEREAS** the Resort Municipality of Whistler is the sole shareholder of Whistler Housing Authority Ltd.;

**PURSUANT** to the Articles of the Company, the following resolutions are passed as resolutions of the sole shareholder of the Company, duly consented to in writing by all of the directors of the sole shareholder of the Company.

**That** Council waive the requirement of holding an Annual General Meeting of the Shareholder of Whistler Housing Authority Ltd., deemed to be held on December 7, 2013.

**That** Council accept the attached Financial Statements of Whistler Housing Authority Ltd. for the year ending December 31, 2012.

**That** Council resolve that the following persons be and are hereby appointed directors of the Company, so that the Board of Directors is therefore composed of the following seven persons, to hold office until the next Annual General Meeting or until their successors are elected or appointed.

Jonathan Decaigny Sharon Fugman Brian Good John Grills Michael Hutchison Duane Jackson Nancy Wilhelm-Morden

**That** Council endorse the appointment of BDO Canada as auditor of Whistler Housing Authority Ltd. for the current fiscal year; and further

**That** the Mayor and Corporate Officer be authorized to sign the annual Shareholder's Resolutions as attached (in lieu of the 2013 Annual General Meeting) of Whistler Housing Authority Ltd.

Signed by the Mayor and Corporate Officer of, 2014.	the Resort Municipality of Whistler on the day of
	Mayor, Nancy Wilhelm-Morden
	Corporate Officer, Shannon Story

Whistler Housing Authority Ltd. Financial Statements For the year ended December 31, 2012

#### Whistler Housing Authority Ltd. Financial Statements For the year ended December 31, 2012

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Tel: 604 932 3799 Fax: 604 932 3764 www.bdo.ca BDO Canada LLP 202 - 1200 Alpha Lake Road Whistler BC VON 1B1 Canada

#### Independent Auditor's Report

#### To the Board of Directors of the Whistler Housing Authority Ltd.:

We have audited the accompanying financial statements of Whistler Housing Authority Ltd., which comprise the statement of financial position as at December 31, 2012, December 31, 2011 and January 1, 2011 and the statements of operations, changes in net debt and cash flows for the years ended December 31, 2012 and December 31, 2011, and a summary of significant accounting policies and other explanatory information.

#### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the presentation of the financial statements.

We believe that the audit evidence we have obtained in our audits is sufficient and appropriate to provide a basis for our audit opinion.

#### Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Whistler Housing Authority Ltd. as at December 31, 2012, December 31, 2011, and January 1, 2011 and the results of its operations, changes in its net debt, and its cash flows for the years ended December 31, 2012 and December 31, 2011 in accordance with Canadian public sector accounting standards.

Chartered Accountants Whistler, British Columbia

BBO Canada LLP.

March 11, 2013

## Whistler Housing Authority Ltd. Statement of Financial Position

i)	December 31 2012	December 31 2011	January 1 2011
Financial Assets Cash (Note 2) Short-term investments (Note 3) Accounts receivable (Note 4)	\$ 560,430 985,091 45,501	\$ 536,655 784,292 38,497	\$ 797,752 418,722
	1,591,022	1,359,444	1,216,474
Liabilities Accounts payable and accrued liabilities Tenant deposits (Note 2) Long term debt (Note 6)	\$ 141,731 122,739 12,048,089	\$ 156,542 122,067 12,476,680	\$ 181,386 122,112 12,942,891
	12,312,559	12,755,289	13,246,389
Net debt	10,721,537)	(11,395,845)	(12,029,915)
Non-financial assets Tangible capital assets (Note 5) Prepaid expenses	21,472,698 208,598	22,250,482 204,288	23,060,929 44,452
	21,681,296	22,454,770	23,105,381
Accumulated surplus (Note 7)	\$10,959,759	\$ 11,058,925	\$ 11,075,466

Approved	on	behalf	of	the	Board	of	<b>Directors:</b>
	will	M. A. 1 (A11)	-			A.,	

Director

Directo

## Whistler Housing Authority Ltd. Statement of Operations

For the year ended December 31	Budget 2012		2011
Revenues			
Rental revenue	\$ 2,719,378		\$ 2,722,563
Waitlist fee revenue	26,000	26,181	22,844
Interest revenue	12,063	16,990	12,063
Other income	3,401	6,826	3,401
Government Grants		-	10,000
Insurance Proceeds		-	62,326
	2,760,842	2,769,872	2,833,197
Rental Expenses			
Bank charges and interest	2,472	2,082	2,609
Insurance	67,716	75,783	67,116
Interest on long term debt	686,255	731,330	703,767
Management fees	145,500	141,328	142,107
Professional fees	20,332	16,185	26,714
Property taxes and fees (Note 8)	308,088	310,257	305,861
Recycling and garbage removal	54,192	48,087	49,893
Repairs and maintenance	261,993	254,775	265,187
Snow removal	42,575	32,062	39,142
Utilities	109,476	108,900	104,068
Canital Evanges	1,698,599	1,720,789	1,706,464
Capital Expenses Amortization		777 704	910 447
	200 047	777,784	810,447
Capital reserve expenses	200,947	127,189	85,395
Administrative Formance	200,947	904,973	895,842
Administrative Expenses	2/2 /00	242 27/	247 422
Office expenses (Schedule 2)	262,600	243,276	247,432
Possible new staff member	50,000	-	
	312,600	243,276	247,432
Total Expenses	2,212,146	2,869,038	2,849,738
Annual Surplus (deficiency)	548,696	(99, 166)	(16,541)
Accumulated surplus,			
beginning of year	11,058,925	11,058,925	11,075,466
Accumulated surplus, end of year	\$11,607,621	\$10,959,759	\$ 11,058,925

## Whistler Housing Authority Ltd. Statement of Changes in Net Debt

For the year ended December 31		Budget 2012		2012	2011
Annual surplus (deficiency)	\$	548,696	\$	(99,166) \$	(16,541)
Acquisition of tangible capital assets		54		8.€3	
Amortization of tangible capital assets		-		777,784	810,447
Change in prepaids		-		(4,310)	(159,836)
	_	33		-	-
Net change in net financial assets (debt)		548,696		674,308	634,070
Net financial assets (debt), beginning of year	(1	1,395 <u>,</u> 845)	(1	1,395,845)	(12,029,915)
Net financial assets (debt), end of year	\$(1	0,847,149)	\$(1	0,721,537) \$	(11,395,845)

## Whistler Housing Authority Ltd. Statement of Cash Flows

For the year ended December 31			2012	2011
Cash provided by (used in)				
Operating activities Annual surplus (deficit)	2	\$	(99,166) \$	(16,541)
Items not involving cash: Amortization of capital assets			777,784	810,447
			678,618	793,906
Changes in non-cash working capital balances:				
Accounts receivable			(7,004)	380,225
Prepaid expenses			(4,310)	(159,836)
Accounts payable and accrued liabilities			(14,811)	(24,844)
Tenant deposits			672	(45)
			653,165	989,406
Investing activities Sale (purchase) of short term investments			(200,799)	(794 202)
sate (purchase) of short term investments		_	(200,799)	(784,292)
Financing activities				
Proceeds (repayment) of long term debt		_	(428,591)	(466,211)
Increase (decrease) in cash during the year			23,775	(261,097)
Cash, beginning of year			536,655	797,752
Cash, end of year		\$	560,430 \$	536,655
Supplemental Information				
Interest Paid		\$	739,823 \$	703,767

## Whistler Housing Authority Ltd. Summary of Significant Accounting Policies

#### December 31, 2012

#### Management's Responsibility for the Financial Statements

The financial statements of the Whistler Housing Authority Ltd. (the "WHA") are the responsibility of management. They have been prepared in accordance with Canadian public sector accounting standards. See Note 1.

#### Nature of Business

WHA was incorporated in 1988 to construct and operate affordable housing units in the Resort Municipality of Whistler (the "RMOW") and facilitate the resale of restricted housing units. The Company is wholly owned by the Resort Municipality of Whistler.

WHA owns 202 (147 prior to October 1, 2010) rental units in the Whistler area and manages another 29 units owned by the Whistler Valley Housing Society and the RMOW.

#### Financial Instruments

WHA's financial instruments consist of cash, short term investments, accounts receivable, accounts payable and accrued liabilities, tenant deposits, and long-term debt. Unless otherwise indicated, it is management's opinion that WHA is not exposed to any significant interest, credit or currency risks arising from these financial instruments.

#### Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Significant items subject to such estimates and assumptions include the useful life of property and equipment and provision for uncollectible receivables. Actual results could differ from those estimates and may impact the results of future periods.

#### Revenue

Rental revenue is recognized monthly when received or receivable, on the first day of each month for all occupied units, as per rental agreements.

Interest revenue is recognized as earned.

Waitlist revenue is non refundable and is recognized when proceeds are received.

Insurance proceeds revenue relates to losses for building repairs and lost revenue. It is recognized when the amount can be estimated, and collectibility is reasonably assured.

#### Government Transfers

Government transfers which include government grants are recognized in the financial statements in the period in which events giving rise to the transfers occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amount can be made.

## Whistler Housing Authority Ltd. Summary of Significant Accounting Policies

#### December 31, 2012

#### **Tangible Capital Assets**

Tangible capital assets are recorded at cost less accumulated amortization. Costs includes all costs directly attributable to acquisition or construction of the tangible capital asset including transportation costs, installation costs, design and engineering fees, legal fees and site preparation costs.

Buildings are recorded at cost, including interest capitalized on construction, and amortized at 4% on a diminishing balance.

Equipment and furniture and fixtures are recorded at cost and amortized at 20% on a diminishing balance.

The half year rule applies in the year of initial purchase.

#### Long term debt

Loans that are payable on demand at the discretion of the lender are classified as current liabilities unless the lender has provided a written waiver stating that payment will not be required within the subsequent fiscal period.

Loans that are due to mature within the current year are classified as current liabilities unless the renewal or replacement loans have been confirmed in writing by the lender before the audit report date.

#### Discretionary reserves

WHA allocates its accumulated surplus to reserve accounts for capital items, projects, maintenance and operating as directed by the board of directors (Note 7). Expenses for each reserve account are recorded separately.

#### **Income Taxes**

WHA is wholly owned by the Resort Municipality of Whistler, and as such, is not subject to income tax per section 149(1)(d.5) of the income tax act.

#### December 31, 2012

#### 1. First-time Adoption of Canadian public sector accounting standards

Effective January 1, 2012, the Company adopted the requirements of the accounting framework, Canadian public sector accounting standards (PSAB). These are the Company's first financial statements prepared in accordance with this framework and the transitional provisions of Section 2125, First-time adoption by government organizations have been applied. Section 2125 requires retrospective application of the accounting standards with certain elective exemptions and retrospective exceptions. The accounting policies set out in Note 1 - Significant Accounting Policies have been applied in preparing the financial statements for the year ended December 31, 2012, the comparative information presented in these financial statements for the year ended December 31, 2011 and in the preparation of an opening PSAB statement of financial position at the date of transition of January 1, 2011.

The Company issued financial statements for the year ended December 31, 2011 using generally accepted accounting principles prescribed by the CICA Handbook - Accounting Part V - Pre-changeover Accounting Standards (GAAP). The adoption of Canadian public sector accounting standards resulted in no adjustments to the previously reported assets, liabilities, accumulated surplus, annual surplus (deficiency) and cash flows of the Company.

The following exemptions were used at the date of transition to Canadian public sector accounting standards:

Tangible Capital Asset Impairment

The Company elected to apply the conditions for a write-down of a tangible capital asset in Section PS3150 on a prospective basis from the date of transition.

#### 2. Cash

Cash includes the Company's bank accounts and any money market instruments that have maturities of 90 days or less.

The Company's bank accounts are held at two financial institutions and earn interest at prevailing market rates. Included in this amount is \$119,484 of tenant deposits held in a separate interest bearing account.

#### 3. Short term Investments

Short term Investments include two term deposits that are held at separate financial institutions. The amounts of the investments are \$276,662 and \$708,429 earning 1.45% and 1.7% respectively. Both of these term deposits mature in 2013. They are both recorded at cost plus accrued interest to date.

## Whistler Housing Authority Ltd. Notes to the Financial Statements

#### December 31, 2012

4.	Accounts receivable			
		_	2012	2011
	GST/HST Rebates Tenant receivables Other	\$	39,596 2,140 3,765	\$ 23,236 4,703 10,558
		_	45,501	38,497

#### 5. Tangible Capital Assets

	Open Net Book Value	,	Additions	Disposals	Arr	ortization	Close Net Book Value
Land	\$ 2,829,968	\$	-	\$ _	\$	-	\$ 2,829,968
Buildings	19,414,472		-	-		(776, 575)	18,637,897
Equipment	6,042		•	 -		(1,209)	4,833
	\$ 22,250,482	\$	_	\$ 	\$	(777,784)	\$21,472,698

Net book value at December 31, 2012 consists of:

	Cost	Accumulated Net Book Amortization Value
Land Buildings Equipment	\$ 2,829,968 26,301,641 31,661	\$ - \$ 2,829,968 (7,663,744) 18,637,897 (26,828) 4,833
	\$ 29,163,270	\$ (7,690,572) \$21,472,698

Net book value for the comparative period, December 31, 2011, consists of:

	Cost	Accumulated Amortization	Net Book Value
Land Buildings Equipment	\$ 2,829,968 26,301,641 31,661		\$ 2,829,968 19,414,472 6,042
	\$ 29,163,270	\$ (6,912,789) \$	22,250,482

## Whistler Housing Authority Ltd. Notes to the Financial Statements

#### December 31, 2012

6.	Long term Debt	_	2012	2011
	Addenda Capital Inc. Mortgage on Lorimer property, interest at 4.12%, repayable at \$9,126 per month, due March 1, 2015 Royal Bank Term Loan on Karen Crescent property,	\$	790,935	\$ 866,458
	interest at 3.95%, repayable at \$32,845 per month, due July 5, 2017 Royal Bank Mortgage on 1060 Legacy Way property,		3,165,895	3,213,837
	interest at 3.886%, repayable at \$21,107 per month, due October 1, 2020 Sunlife Assurance Company of Canada Mortgage on		3,841,820	3,944,840
	Seppo's property, interest at 6.8%, repayable at \$41,206 per month, due October 1, 2025		4,249,439	4,451,545
		_1	2,048,089	12,476,680

The mortgages are secured by a first charge on the land and buildings for each loan, a General Security Agreement and an assignment of rents.

Mortgage payments due in the next five years are as follows:

		Interest	Principal	Tot	al
2013	\$	575,552	\$ 675,858	\$ 1,251,410	0
2014	750	542,110	709,300	1,251,410	0
2015		489,094	1,289,493	1,778,58	7
2016		449,182	692,713	1,141,89	5
2017		378,744	2,408,998	2,787,74	2
Thereafter		1,204,529	6,271,727	7,476,25	
	\$	3,639,211	\$ 12,048,089	\$15,687,30	0

#### 7. Accumulated Surplus

Accumulated Surplus consists of:

	2012	<u>.                                    </u>	2011
Share Capital Invested in tangible capital assets Discretionary reserves (Schedule 1) Unrestricted	\$ 1 9,424,609 772,374 762,775		1 9,773,801 762,899 522,224
	\$10,959,759	\$	11,058,925

## Whistler Housing Authority Ltd. Notes to the Financial Statements

#### December 31, 2012

#### 8. Related Party Transactions

The company is wholly owned by the Resort Municipality of Whistler and has the following transactions with them:

Property taxes

The Company pays taxes on the rental properties it owns.

#### Related party transactions for the year include:

		2012	2011
Expenses Property tax expense	\$.	310,257	\$ 305,861

#### 9. Fiscal Plan

Budget amounts represent the 2012 Financial Plan approved by the board on November 7, 2011 as adjusted to a "PSAB basis" in order to match the required presentation in the Statement of Operations and the Statement of Changes in Net Debt. This adjustment is necessary because certain revenue items in budget are not considered revenues for PSAB purposes. Certain budget figures in these financial statements are categorized by management differently than presented in the 2012 Financial Plan to ensure consistency with the classifications of actual results presented in these financial statements.

The following shows how these two different bases are reconciled:

Excess of revenue over expenditure per budget HST Rebate Debt principal repayments	\$ 123,881 (61,200) 486,015
Annual surplus on a PSAB basis	 548,696
Change in net financial assets	\$ 548,696

2012

## Whistler Housing Authority Ltd. Schedule of Discretionary Reserves (Schedule 1)

For the year ended December 31, 2012

Capital Project Reserve	Capital Maintenance Reserve	Operating Reserve	2012	2011
\$ 482,965	\$ 79,934 \$	200,000 \$	762,899	\$ 711,630
2	(127,189)	×	(127,189)	(85, 395)
ŧ	136,664	<del>-</del> 5	136,664	136,664
\$ 482,965	\$ 89,409 \$	200,000 \$	772,374	\$ 762,899
	Project Reserve	Project Reserve Maintenance Reserve Reserve 127,189)  136,664	Project Reserve         Maintenance Reserve         Operating Reserve           \$ 482,965         \$ 79,934         \$ 200,000         \$           - (127,189)         - 136,664	Project Reserve         Maintenance Reserve         Operating Reserve         2012           \$ 482,965         \$ 79,934         \$ 200,000         \$ 762,899           - (127,189)         - (127,189)         - (127,189)           - 136,664         - 136,664         - 136,664

## Whistler Housing Authority Ltd. Schedule of Office Expenses (Schedule 2)

For the year ended December 31	Budget 2012	2012	2011
Office Expenses			
Administrative office	\$ 12,700	\$ ,	\$ 17,584
Advertising	500	839	8,060
Board expenses	1,000	385	838
Banking fees	300	223	336
Professional fees	40,000	28,607	26,543
Research	10,100	10,100	10,100
Telecommunications	4,000	2,791	2,779
Wages and benefits	189,000	177,503	175,952
Training and conferences	 5,000	6,755	5,240
	\$ 262,600	\$ 243,276	\$ 247,432

## Whistler Housing Authority Ltd. Schedule of Tangible Capital Assets (Schedule 3)

or the year ended December 31				2012	2011	
	Cost	Accumulated Amortization		Net Book Value		Net Book Value
Land - 6320 Lorimer Land - 2025 Karen Cr	\$ 514,656 460,826	\$ -	\$	514,656 460,826	\$	514,656 460,826
Land - 7325 Seppo's Way Land - 2110 Sarajevo #3	1,633,885 61,863	-		1,633,885 61,863		1,633,885. 61,863
Land - 2120 Nordic Court Land - 1060 Legacy Way	122,451 36,287	ŝ		122,451 36,287		122,451 36,287
Building - 6320 Lorimer	1,746,237	737,745		1,008,492		1,050,511
Building - 2025 Karen Cr Building - 7325 Seppo's	7,415,163 6,756,387	2,754,375 2,384,712		4,660,788 4,371,675		4,854,987 4,553,827
Building - 2110 Sarajevo #3 Building - 2120 Nordic Court	26,512 2,804,710	8,519 995,088		17,993 1,809,622		18,743 1,885,022
Building - Balsam	342,532 7,210,100	85,137 698,168		257,395 6,511,932		268,120
Building - 1060 Legacy Way Equipment & furniture	31,661	26,828		4,833		6,783,262 6,041
	\$29,163,270	\$ 7,690,572	\$	21,472,698	\$	22,250,482

Certificate of Incorporation No. BC0810519

## WHISTLER HOUSING AUTHORITY LTD. (the "Company")

#### **DIRECTORS' RESOLUTIONS**

Pursuant to the articles of the Company, the following resolutions are passed as resolutions of the directors of the Company, duly consented to in writing by all the directors of the Company.

#### **RESOLVED THAT:**

the following persons be and are hereby appointed officers of the Company to hold the
offices set opposite their names until their successors are appointed, at the pleasure of
the Board of Directors:

President - Michael Hutchison Vice President/Secretary - Nancy Wilhelm-Morden

2. the financial statements of the Company for the last completed financial year be approved.

DATED this 11th day of Warch, 2013.

Mar

Jonathan Decaign

John Grills

Duane

Michael Hutchison

Nancy Wilhelm-Morden

Sharon Fugman



## WHISTLER

#### MINUTES

REGULAR MEETING OF ADVISORY DESIGN PANEL

WEDNESDAY, NOVEMBER 20, 2013,

STARTING AT 2:04 P.M.

In the Flute Room at Municipal Hall

4325 Blackcomb Way, Whistler, BC V0N 1B4

Members - Present Dennis Maguire, MAIBC

Tom Bunting, MAIBC, Chair

Crosland Doak, MBCSLA, Co-Chair

Pawel Gradowski, MBCSLA

Dale Mikkelsen, UDI

Chris Wetaski, Member at Large Eric Callender, Member at Large

John Grills, Councillor

Doug Nelson, MAIBC **Members - Regrets** 

Melissa Laidlaw, Senior Planner & ADP Secretary **Municipal Staff** 

Monica Urbani, Recording Secretary

Adoption of Agenda Moved by Tom Bunting

Seconded by Crosland Doak

That Advisory Design Panel adopt the Regular Advisory Design Panel

agenda of November 20, 2013.

CARRIED.

**Adoption of Minutes** Moved by Tom Bunting

Seconded by Crosland Doak

**That** Advisory Design Panel adopt the Regular Advisory Design Panel

minutes of May 29, 2013.

CARRIED.

That Advisory Design Panel adopt the Regular Advisory Design Panel

minutes of July 17, 2013.

CARRIED.

Council Briefs

Councilor Grills gave an update on Whistler Village 3.0. Workshops have occurred with landlords and business operators of each neighbourhood; identified needs and goals. Staff completing the Streetscape Guide, a document to assist businesses on their storefront, signage, outdoor displays patios, landscape.

Audain Art Museum construction has started. Sumer 2015 completion.

Dec. 3 Council meeting - Whistler International Campus rezoning proposal. Forward any comments you have to Mayor and council. Open House held

MINUTES Regular Advisory Design Panel Meeting November 20, 2013 Page 2

by applicant on Nov 13. Information available on applicant's website.

Open house Nov. 26 regarding Westside Alta Lake Rd.) sewer.

Dennis Maguire entered meeting.

#### **PRESENTATIONS**

London Lane Commercial Development -Workshop 1<sup>st</sup> Review File No. DP1320 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.

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

The applicant presented:

- 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

- 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 MINUTES Regular Advisory Design Panel Meeting November 20, 2013 Page 4

**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.

Retaining Walls / Building Heights 1<sup>st</sup> Review File No. RZ1065 Roman Licko, Planning Technician, entered the meeting.

Roman presented draft Zoning Amendment Bylaw (Retaining Wall Amendments) No. 2033, 2013. The proposed amendment will:

- 1. Increase the maximum allowable height of all landscape features in building setback areas from 0.6 meters to 1.0 meters.
- 2. Differentiate retaining (and decorative) walls from other landscape features by allowing them to be 1.5 meters high. In the case of a large elevation change, multiple walls can be constructed in a setback area provided they are horizontally separated by 1.5 meters. This would allow an opportunity for soft landscaping between walls.
- 3. Allow for a zero setback for side and rear yards to enable adjacent property owners to connect their retaining systems.
- 4. Require a 2.0 m setback from parcel lines that abut a road, to allow for storage of snow plowed from the road.
- 5. Allow walls in the CD-1 Zone (Rainbow) to be 2.0 meters high in recognition of the challenges in this neighbourhood posed by the smaller parcel sizes and steeper topography.

Panel offers the following comments.

1. Some panel members voiced concern regarding the 0 metre setback and its impact on neighbours.

Moved by Chris Wetaski Seconded by Pawel

**That** the Advisory Design Panel supports the draft zoning amendment bylaw.

CARRIED.

Roman presented draft Zoning Amendment Bylaw (Calculation of Height) No. 2034, 2013. The proposed amendment will:

- Change the method of calculating a height relaxation for downhill sloping to the lots to the difference between the road elevation and grade elevation at the rear of a building to a maximum of 3.0 metres.
- 2. A simpler and more practical solution; beneficial for streetscape as house doesn't appear taller from the street view.
- 3. Still maintains maximum 3 metre height relaxation.

Moved by Dennis Maguire Seconded by Dale Mikkelsen MINUTES
Regular Advisory Design Panel Meeting
November 20, 2013
Page 5

That the Advisory Design Panel supports the draft bylaw as presented.

CARRIED.

Panel Membership 2014

All members in attendance confirmed desire to continue for 2014 term. ADP Secretary to speak with AIBC as their term is maximum 2 years, while Whistler ADP Terms of Reference permit up to 3 years.

#### **NEW BUSINESS**

Gross Floor Area Exclusions Bylaw

A panel member commented that this bylaw (Bylaw 1992) was never presented to ADP. Staff responded that this bylaw was reviewed by a specific Council task force instead.

#### **ADJOURNMENT**

Moved by Tom Bunting

That Advisory Design Panel adjourn the November 20, 2013 committee meeting at 4:\$7 p.m.

CARRIED.

Chair: Tom Bunting

FOR: CO-CHAR CROSLAND DOAK

Sécretary: Melissa Laidlaw

cc: 2034.1



#### THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way TEL 604 932 5535 Whistler, BC Canada VON 184 TF 1 866 932 5535 www.whistler.ca FAX 604 935 8109

### **MINUTES**

#### OF THE REGULAR MEETING OF PUBLIC ART COMMITTEE

**DATE:** Wednesday, October 23, 2013

**LOCATION:** Meeting Room Piccolo, Municipal Hall

**TIME:** 4:30 P.M.

**ATTENDANCE** 

**MEMBERS PRESENT:** 

Kerry Chalmers Stephanie Sloan Ian Crichton Kat Sullivan

Penny Eder Laurie Vance, Chair Marie-Eve Masse Councillor Andrée Janyk

MEMBERS ABSENT: MUNICIPAL STAFF:

Andrea Mueller Kevin McFarland, RMOW

Ruth Stewart Jane Wong

#### **ADMINISTRATIVE ITEMS**

#### **ADOPTION OF THE AGENDA:**

Motion by S. Sloan

Seconded by M-E. Masse

That the agenda of the October 23, 2013 Public Art Committee meeting be adopted as read.

**CARRIED** 

#### **ADOPTION OF THE MINUTES:**

Motion by P. Eder

Seconded by K. Sullivan

That the minutes of the August 12, 2013 Public Art Committee meeting be adopted as read.

**CARRIED** 

#### Membership

Committee member Laurie Vance was at the end of her term. The Committee thanked her for her years of service. It was noted that the RMOW would advertise for new members to fill two vacancies on the Committee. Also, terms will expire for five members in Spring 2014. The Public Art Policy specifies that the term limit is three two year terms and that membership terms should be staggered.



#### **BUSINESS ARISING FROM MINUTES**

#### **Timeless Circle Games Legacy Art**

The artist is committed to the project and has recovered from her knee injury somewhat. A studio visit will be held to discuss implementation.

#### **Valley Trail Public Art Project**

The Pinecone Valley Trail art project was completed at the end of September. Members had a mixed reaction to the piece. The implementation process revealed a lesson for future projects, as the artists made a change without consultation with staff. While the change was reasonable, members want to ensure better liaison in the future. There was a question about the internal structure of the piece (it is steel reinforced) and how it may weather over time.

#### **NEW BUSINESS**

#### **Potential 2014 Projects**

A new Valley Trail art project is scheduled in the Five Year Financial Plan for 2014. Also, the Committee will be involved in the selection of a new street banner design in 2014 and in the annual Poet's Pause competition. The Committee has also advocated a Village project to strengthen the arrival experience at the curved ramp to the Stroll by Whistler Way.

#### **Other Projects**

Members asked to be consulted about other public art initiatives, such as art acquired by the RMOW from the Squamish Lil'wat Cultural Centre as part of the Cultural Journey concept.

#### **Public Art Events**

Councilor Janyk described an event she learned about at the 2013 Union of BC Municipalities meeting. She referred members to the Castlegar Sculpture Walk (<a href="www.castlegarsculpturewalk.com">www.castlegarsculpturewalk.com</a>) as a good precedent for an annual sculpture exhibition and tour.

CERTIFIER CORRECT

Meeting adjourned at 6:00 P.M. Next meeting is scheduled for December 18, 2013

OLK III ILD OOKKLOT		
Committee Chair Person		
Kevin McFarland, Resort Experience		
cc: original to vault; e-copy to council minutes	3	

#### **RESORT MUNICIPALITY OF WHISTLER**

## LAND USE PROCEDURES AND FEES AMENDMENT BYLAW NO. 2038, 2013 A BYLAW TO AMEND LAND USE PROCEDURES AND FEES BYLAW NO. 2019, 2012

**WHEREAS** a local government that has adopted an Official Community Plan bylaw or a zoning bylaw must, by bylaw, define procedures under which an owner of land may apply for a permit under Part 26 of the *Local Government Act*, and the Council has adopted an Official Community Plan and a zoning bylaw; and

**AND WHEREAS** a local government may, by bylaw, impose application fees for an application for the issuance of a permit under Part 26 of the *Local Government Act*;

**AND WHEREAS** the Council of the Resort Municipality of Whistler has established a policy, the Antenna System Siting Protocol, to govern the process for land use assessment authority consultation with proponents and the public in regards to telecommunication towers and antenna facilities, as required by Industry Canada;

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

- 1. This Bylaw may be cited for all purposes as "Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013".
- 2. Land Use Procedures and Fees Bylaw No. 2019, 2012 is amended by inserting the following:
  - (a) In section 2:
    - "(d) "Antenna System" means an exterior transmitting device or group of devices used to receive and/or to transmit radio-frequency (RF) signals, microwave signals or other federally-licenced communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter."
  - (b) In section 4:
    - "(i) A Letter of Concurrence or Non-Concurrence to Industry Canada for an Antenna System."
  - (c) In Schedule A:
    - "11. antenna system letter of concurrence or non-concurrence \$750.00"
- 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, SECOND and THIRD READINGS this ADOPTED by the Council this day of,	- · · · · · · · · · · · · · · · · · · ·
Nancy Wilhelm-Morden Mayor	Shannon Story Corporate Officer
I HEREBY CERTIFY that this is a true copy of "Land Use Procedures and Fees Amendment Bylaw No. 2038, 2013."	
Shannon Story Corporate Officer	

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



December 11, 2013

The Mayor & Council Resort Municipality of Whistler 4325 Blackcomb Way, Whistler, B.C. VON 1B4

Dear Sir/Madam

BC Privacy & Security Awareness Day - February 6, 2014

ISACA Vancouver is spearheading a collaborative effort to promote privacy and security awareness in the Province of British Columbia. To this end, Feb 6<sup>th</sup>, 2014 has been selected as British Columbia Privacy & Security Awareness Day!

ISACA is therefore requesting the assistance of municipal governments in officially proclaiming February 6<sup>th</sup>, 2014 as British Columbia Privacy & Security Awareness Day!

ISACA Vancouver's intent is to take a leadership role in promoting privacy and security awareness in the Province of BC. BC Privacy & Security Awareness Day is a "call to arms" to draw focus to, and inform citizens throughout the Province of the inherent risks associated with cyberspace, and to provide simple, practical advice on how to minimize their exposure to these risks.

ISACA Vancouver is partnering with Reboot Communications, the organization responsible for hosting the BC Government's 15th Annual Privacy & Security Conference from Feb 5-7 in Victoria, BC. Hosted by ISACA Vancouver, a cocktail reception will be held at the Victoria Convention Centre on the evening of Feb 5<sup>th</sup> and will serve as the staging point of the official proclamation of BC Privacy & Security Awareness Day by an all-star list of public officials, corporate leaders and the media. In this regard we will be forwarding further information to you concerning the event, with an opportunity for a representative of your organization to attend the function.

Please contact me if you have any questions and/or to arrange collection of the proclamation.

Many thanks for your consideration.

Regards,

Charles W. Wordsworth, I.S.P., ITCP., CMC

Charles Wordmoster.

ISACA Vancouver BC Privacy & Security Awareness Day Organizing Committee

www.isaca-vancouver.org/bcpsad

(604) 535 7213

charlesw@netsafe.ca

#### **PROCLAMATION**

## "BRITISH COLUMBIA PRIVACY AND SECURITY AWARENESS DAY" February 6, 2014

Whereas Cybercrime threatens the privacy and security of all citizens

and organizations in British Columbia;

Whereas Cybercriminal activity amounts to a tremendous erosion of

economic wealth;

Whereas Privacy & security issues result from the massive amounts of

personally identifiable information processed each day;

Whereas Awareness of the risks to society must be highlighted to

engage citizens and organizations and to galvanize privacy

and security professionals around this cause;

Whereas ISACA Vancouver, a member of ISACA, the leading

international association of information security governance professionals, wishes to instil privacy and security awareness amongst all citizens and organizations in British Columbia;

Whereas The Resort Municipality of Whistler supports the promotion of

privacy and security awareness amongst its citizens and organizations, so they can protect themselves from privacy

infringements, fraud and other financial crimes;

Now therefore be it resolved that February 6, 2014 shall be known as "British

Columbia Privacy and Security Awareness Day" in the Resort

Municipality of Whistler.

Nancy Wilhelm-Morden

Mayor

Resort Municipality of Whistler





December 12, 2013

Ref: 154580

Her Worship Mayor Nancy Wilhelm-Morden and Members of Council Resort Municipality of Whistler 4325 Blackcomb Way Whistler, BC VON 1B4

Dear Mayor Wilhelm-Morden and Councillors:

I am writing today to invite your local government's input on the second phase of local government elections reform.

I wrote to all local governments on August 27, 2013 to announce the release of a White Paper on Local Government Elections Reform. As noted in the White Paper, I have initiated targeted stakeholder engagement on expense limits in November 2013. The intent is to develop and introduce expense limits legislation in time for the next local elections *after* 2014. Given the diversity of views on the topic and the complex policy issues, I want to start discussions on expense limits early and be in a position to introduce expense limits with plenty of lead-time before the next elections after 2014.

Expense limits would ultimately be added into the proposed *Local Elections Campaign Financing Act*. This two-phase approach allows campaign participants to first become familiar with a new, separate Act with new rules around transparency, accountability and enforcement before adding expense limits into local elections.

Information gathered through talking to key stakeholders, such as local governments, will help inform the development of expense limits. I will be having regular discussions with the Union of British Columbia Municipalities' Executive as we move forward. However, I also wanted each local government to have an opportunity to share perspectives on expense limits, and issues related to expense limits. I would appreciate your thoughts on questions and issues around campaigning for office. For example,

- In your community, do you think the cost of campaigning is a deterrent to people considering running for office?
- What are the most significant cost pressures in local campaigns?
- Are campaign finance issues different in small communities than in large communities, and if so, in what ways?

.../2

Her Worship Mayor Nancy Wilhelm-Morden and Members of Council Page 2

I am also interested in your views on approaches to setting expense limits in local elections. The Local Government Elections Task Force recommended expense limits for candidates and third party advertisers in all communities. The Task Force suggested that expense limits need to take community population into account in order to work in British Columbia's diverse communities, and that elector organizations should not get a separate, additional limit. The Task Force did not specify what they felt expense limits should be.

Enclosed for your reference is a short discussion paper. The paper includes some background on expense limits issues, including some information on local campaign spending in British Columbia and information on other provinces' approaches. This paper can also be found at <a href="https://www.localgovelectionreform.gov.bc.ca">www.localgovelectionreform.gov.bc.ca</a>. Comments from the public are also invited until January 31, 2014.

Please note that it is optional to provide feedback on expense limits issues. As a former council member, I understand that councils and boards have busy agendas and it may be difficult to find time to discuss this issue. However, I do appreciate hearing from your community.

Please provide your thoughts by January 31, 2014. Submit your feedback electronically to: Localgovelectionreform@gov.bc.ca, or in writing to:

Local Government Elections Reform
Ministry of Community, Sport and Cultural Development
PO BOX 9847 STN PROV GOVT
Victoria BC V8W 9T2

I will also take this opportunity to remind you that the White Paper on Local Elections Reform released in September 2013 provided a draft version of the proposed new *Local Elections Campaign Financing Act*, intended for introduction in the Legislature in Spring 2014. If passed, the Act would make a significant number of changes, principally related to enhanced transparency, compliance and enforcement, for the November 2014 local elections.

Thank you in advance for your assistance.

ovalu Cakes

Sincerely,

Coralee Oakes Minister

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Enclosure

pc: Director Rhona Martin, President, Union of British Columbia Municipalities

## November 2013

# Expense Limits in Local Elections Discussion Paper



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#### EXECUTIVE SUMMARY

The Local Government Elections Task Force, a partnership between the Province and the Union of BC Municipalities, was created to recommend changes to local elections rules. One of the 31 recommendations in the Task Force's May 2010 final report was that the Province establishes expense limits for candidates, elector organizations and third party advertisers in local elections.

The Government of British Columbia intends to introduce expense limits in time for the next local elections after November 2014.

As noted in the White Paper on Local Government Elections Reform, government initiated targeted stakeholder engagement on expense limits issues in November 2013. Government will use information gathered through this process to inform the development of expense limits. While it may seem early to be talking about expense limits issues, it is important to be prepared to introduce legislation early enough that campaign participants are ready for expense limits and the new rules.

This discussion paper outlines the policy building blocks for expense limits and some of the complex policy issues involved in the legislative framework for expense limits. It also provides discussion questions. The appendices contain information on trends in local campaign spending in B.C., and on other provinces' approaches to expense limits for local elections.

#### How do I give my feedback?

Please provide your written comments by January 31, 2014.

Website: www.localgovelectionreform.gov.bc.ca

Email: localgovelectionreform@gov.bc.ca

Mail: Local Government Elections Reform

Ministry of Community, Sport and Cultural Development

PO BOX 9847 STN PROV GOVT

Victoria BC V8W 9T2

#### INTRODUCTION

#### Why expense limits in local elections?

The Local Government Elections Task Force, a partnership between the Province and the Union of BC Municipalities, was created to recommend changes to local elections legislation. One of the 31 recommendations in the Task Force's May 2010 <u>final report</u> was that the Province establishes expense limits for candidates, elector organizations\* and third party advertisers in local elections.

In reviewing written submissions and listening to the dialogue on elections issues, the Task Force heard a great deal of support for establishing expense limits in local elections. The Task Force believed that expense limits could increase accessibility and fairness by levelling the playing field among candidates; encouraging candidate participation; and reducing the need for large contributions to fund expensive campaigns.

The provincial government accepted the Task Force's recommendations and committed to implementing them — including expense limits.

#### What is happening with expense limits?

<u>Timing:</u> The Province released a <u>White Paper on Local Government Elections Reform</u> in September 2013. The White Paper provided a draft version of the proposed new *Local Elections Campaign Financing Act*, to be introduced in the Legislature in Spring 2014. If passed, the Act would put into place the majority of the Local Government Elections Task Force's recommendations in time for the November 2014 local elections. These changes are focused on improved accountability, transparency, compliance and enforcement. The draft Act applies to local government and board of education elections.

For more detail on the changes proposed for 2014, please see www.localgovelectionreform.gov.bc.ca

The draft Local Elections Campaign Financing Act represents Phase I of campaign finance reform in BC local elections. Phase II involves introducing expense limits legislation in time for the next local elections after 2014. The phased approach will allow campaign participants, local elections administrators and others to adapt to the changes before adding spending limits to the local elections system. The phased approach also allows more time for discussion of expense limits issues before any decisions are made.

<u>Stakeholder engagement:</u> As noted in the White Paper, government initiated targeted stakeholder engagement on expense limits issues in November 2013. Government will use information gathered through this process to inform the development of expense limits. The intent is to introduce legislation for expense limits *after* the November 2014 local elections. While it may seem early to be talking about expense limits issues, it is important to be prepared to introduce legislation early enough that campaign participants are ready for expense limits and the new rules to make the limits work.

<sup>\*</sup> Elector organizations are groups that promote candidates in local elections. They are sometimes referred to as municipal 'political parties.' Elector organizations endorse candidates. The organization's endorsement appears on the ballot next to candidates' names. Elector organizations regulated under the legislation – e.g. currently they must have at least 50 members that are electors in the municipality and have existed for at least 60 days, and they must file campaign finance disclosure statements. See the ministry's guide for more information.

#### BACKGROUND ON EXPENSE LIMITS FOR B.C. LOCAL ELECTIONS

#### What are the guiding concepts on expense limits?

In accepting the Task Force's recommendation to establish expense limits, the provincial government has been taking the Task Force guidance for developing expense limits as a starting point. The Task Force laid out some objectives or outcomes it thought should shape expense limits. The Task Force recommended that expense limits:

- be high enough to allow reasonable campaigns, but not so high as to allow a few participants to dominate,
- need to work in different sized communities (i.e. a formula-based approach would make sense, but a straight per resident formula would not be effective), and
- have a neutral effect on candidates' decisions to run independently or to create/join elector organizations.

The Task Force recognized that campaign spending was quite low in the majority of BC's communities. However, for fairness reasons the Task Force felt it was important to have expense limits in all communities. The Task Force suggested that expense limits be set in a way that reflects population size in order to make the limits effective and fair in all BC communities (ranging in population from about 180 people to more than 600,000 people).

The Task Force also emphasized that expense limits should not "punish" or "reward" candidates that are endorsed by elector organizations. The Task Force saw that while the majority of BC communities do not have elector organizations, where elector organizations do exist, they are a fairly prominent part of elections in the community. The Task Force did not want expense limits to provide an incentive to create more elector organizations (or splinter existing ones) simply for the sake of obtaining higher "spending room." It would also be unfair to independent candidates (who are not endorsed by elector organizations) if elector organizations got additional limits beyond what candidates get.

The Task Force assumed that the Province would establish expense limits. In some other provinces, local governments have the power to, by by-law, set their own campaign finance rules. The Task Force also recommended that Elections BC enforce campaign finance rules in local elections, so that means Elections BC would enforce expense limits.

The following are some of the key policy concept coming out of the Task Force's guidance:

- expense limits need to work for all communities
- candidates and third party advertisers would be subject to expense limits
- elector organizations would not get expense limits over and above candidates' limits
- expense limits would be sensitive to population size
- expense limits would also apply in board of education elections
- the Province would set expense limits
- Elections BC would enforce the limits as part of its role in enforcing campaign finance rules

## How can I add to the expense limits discussion?

The purpose of stakeholder engagement on expense limits is to explore how best to set expense limits that work for all communities. The Province will need to decide on the approach to setting expense limits numbers, and on the related "framework" rules.

You are invited to share your thoughts on expense limits issues. Below are some questions the Province would like to explore. Feel free to answer as many of the questions as you wish, and to give feedback on issues you would like to raise that are not covered by the questions below.

For additional background, please see Appendix 1 (Facts on Campaign Spending in B.C.) and Appendix 2 (Expense Limits in Local Elections in Other Provinces).

## **Discussion questions**

#### Questions about campaigning

- In your community, do you think the cost of campaigning is a deterrent to people considering running for office?
- What are the most significant cost pressures in local campaigns?
- Are campaign finance issues different in small communities than in large communities, and if so, in what ways?
- Are campaign finance issues different for board of education elections than for local government elections?
- Do you think social media will impact (raise or lower) campaign spending? Why or why not?

# Questions about the policy "starting point" for expense limits

The Task Force provided some policy guidance on expense limits, suggesting that limits

- be high enough to allow reasonable campaigns, but not so high as to allow a few participants to dominate,
- need to work in different sized communities (i.e. a formula-based approach would make sense, but a straight per resident formula would not be effective), and
- o should have a neutral effect on candidates' decisions to run independently or to create/join elector organizations.
- Do you think that these objectives are a reasonable starting point for expense limits? Is there anything you would change about these objectives, or anything important missing?
- Page 2 shows the key policy concepts coming out of the Task Force's guidance. Would you change any of these?

## Questions about possible expense limits models

In the two other provinces where the provincial government sets expense limits for local elections, the limit is established by a formula with a "base" amount and additional amounts for each elector. For example, in Ontario, the limit for a mayoral candidate is \$7,500, plus 85 cents per elector and \$5,000 plus 85 cents per elector for council candidates. The same formula for all

communities results in different limits in each community depending on population.

- o Does the concept of a base amount, plus additional "per resident" amounts, seem like a reasonable approach in BC?
- Or are there other, simpler models to consider? For example, would "tiered" limits (the same limit for all communities under 5,000 or so people, a higher limit for all communities of 5,000 to 10,000 people, and so on) be a better approach?
- If a model were established that resulted in different limits in each community (such as a base plus per resident model), would you support the Province making things simple for candidates and local governments by calculating the limit in each community and providing notice of the limits?
- Are there other, additional factors beyond population that should be taken into account when setting expense limits?
- How should board of education candidate limits be set? Should they be connected to the limits for council candidates (i.e. the same as a council candidate's limit)? If so, what happens when the boundaries of school districts do not line up with municipal boundaries?
- Would it make sense for third party advertisers' limits to be connected to the limits for candidates in the community where the third party is conducting advertising?

## What other factors must be considered in developing expense limits?

Establishing expense limits requires some basic policy decisions – who limits apply to, how much the limits are and how they are set. In addition to considering those basic policy decisions, government will also need to address a host of related "framework" issues. For expense limits to be effective, there will need to be rules in the legislation that set out in detail how expense limits are managed and enforced.

For example, following the Task Force guidance, elector organizations would not have a separate expense limit over and above expense limits for candidates. Framework rules would be needed to manage the relationship between candidates and the elector organizations that endorse them. Questions such as who can incur expenses (the elector organization, the candidate, or both) raise further questions, such as who is responsible if there is over-spending?

Some complex policy issues stem from the need to make sure that expense limits can't be circumvented. For example, policies will be needed for candidates that share advertising (or other campaign expenses, like candidate meet-and-greets). The legislation would still allow candidates to work together informally as a "slate" (i.e. outside of an elector organization), but rules to prevent collaborating for the purposes of working around expense limits would be needed. For example, it would be unfair for a candidate with left over "spending room" to pay for advertising promoting another candidate who has already reached his or her expense limit. Rules about how to attribute shared expenses fairly amongst candidates would be needed.

In designing expense limits for local elections, there are constitutional issues to consider. For example, a number of Canadian court cases have upheld the general principle that regulating third party advertising during elections is an acceptable limitation on freedom of speech. However, rules for third parties must strike a reasonable balance between regulation and not unduly impairing freedom of speech. Other legal factors (such as protection of privacy) will have to be considered.

These policy issues are flagged in this paper to provide a preview of the types of policy decisions government will need to make, over and above deciding what the actual limits amounts in each community should be. It is not as simple as just adding the limits numbers or formula into a piece of legislation.

## Next steps - what happens with the feedback from stakeholders?

In addition to seeking feedback on this paper, the Minister of Community, Sport and Cultural Development will also be speaking to the Union of BC Municipalities and its area associations between November 2013 and late January 2014. Views of the B.C. School Trustees Association will also be sought, as will views of other campaign participants, such as elector organizations. In Spring 2014, a summary of information received will be published. The Province will consider the results of this targeted stakeholder engagement when developing expense limits and related "framework" rules.

## Next steps - how would expense limits be implemented?

The White Paper on Local Government Elections Reform (issued September 2013) details a proposed new Act for local elections campaign finance - the draft *Local Government Campaign Financing Act*. If passed by the Legislature in Spring 2014, the Act would bring into force a number of major changes in place in time for the November 2014 local elections. Those changes are focused on improved transparency, improved campaign finance disclosure and a role for Elections BC in enforcement of campaign finance rules in local government elections.

The Local Government Campaign Financing Act is Phase I of local elections campaign finance reform.

For Phase II, the government intends to develop local elections campaign expense limits in time for the next local elections *after* November 2014.

Introducing expense limits requires legislation. The Local Government Campaign Financing Act would be amended to establish expense limits and related policy rules. Like all legislation, expense limits amendments would be tabled for the Legislature's consideration.

# How do I give my feedback?

Please provide your written comments by January 31, 2014.

Website: www.localgovelectionreform.gov.bc.ca

Email: localgovelectionreform@gov.bc.ca

Mail: Local Government Elections Reform

Ministry of Community, Sport and Cultural Development

PO BOX 9847 STN PROV GOVT

Victoria BC V8W 9T2

# Appendix 1: Facts on Campaign Spending in B.C.

## **Considering the context**

In addition to considering the Task Force's policy guidance on expense limits, it is important to consider campaign spending trends in BC.

There are over 1,660 elected positions in over 250 government bodies filled during local elections. Typically, around 3,000 candidates run for these offices. Comparing campaign spending across communities and over multiple years is currently difficult because there is no central place to find all campaign finance disclosure statements for municipal, electoral area director (regional district electoral area) and board of education candidates.<sup>1</sup>

#### Other factors add complexity:

- Support from campaign organizers\* might have led to some candidates' spending being lower than it would otherwise have been. The precise amount of support received from campaign organizers cannot accurately be factored into candidate spending figures.
- Not all spending disclosed in campaign finance disclosure statements was done during the
  campaign period. For example, a portion of the costs for "paid campaign work" in some elector
  organizations' disclosure forms was probably for having paid staff in the years in between
  elections. Maintaining an organization in between elections is certainly relevant to the
  campaign; however, actual spending during campaign time may be lower than it appears from
  disclosure statements.
- "Average" spending may not present a full picture of what it typically costs to campaign in a community. For example, one or two "outlier" candidates who spend much more than their competitors affect calculations of average spending for that community. Similarly, it is reasonable to guess that candidates who spent nothing and got almost no votes probably didn't actually campaign; such candidates would skew the average downwards.
- Campaign finance disclosure statements may not disclose spending fully and accurately.

These caveats aside, looking at a sample of municipal election spending reveals some general trends.

## Trends in municipal campaign spending

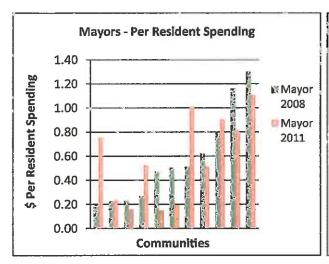
Overall, spending is fairly low. To gauge how much was spent by people who ran competitive campaigns, a sample of spending by "contenders" was taken. Only the top two-thirds of candidates closest to winning a seat were classified as contenders. Including people who may have spent nothing, and also got almost no votes (indicating that they possibly did not campaign at all) would lead to a less realistic estimate of what it costs to be competitive.

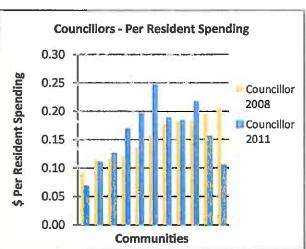
<sup>&</sup>lt;sup>1</sup> The draft *Local Elections Campaign Financing Act* would make all campaign finance disclosure statements available through Elections BC.

<sup>\*</sup> Campaign organizers are individuals or groups that promote or oppose candidates or points of view during elections. A campaign organizer must identify itself to the local chief election officer once it raises contributions, or incurs expenses, valued at \$500 or more. Campaign organizers must also file campaign finance disclosure statements. Unlike elector organizations, campaign organizers do not necessarily have a relationship with candidates they support or oppose. See the ministry's guide for more information. The proposed *Local Elections Campaign Financing Act* would discontinue the concept of campaign organizers, instead regulating "third party advertisers."

In this sample of spending in communities of various sizes by almost 500 contenders for mayor and council seats, only 8% of candidates spent more than \$50,000. 31% spent less than \$2,000.

<u>Spending is not that predictable.</u> Overall, spending seems to be driven mostly by the political dynamics in a particular community in a particular election. "Hot races" can mean more spending in a community in compared to elections in other years. Conversely, if fewer candidates run in an election, or if electors are less interested in the candidates or issues, spending might go down. Spending does not necessarily go up by a predictable amount each election. The following charts provide an illustration of 2008 vs. 2011 election spending in a random sample of 11 communities of various sizes. The charts demonstrate some of the potential variability in per resident spending from one election to the next.





Spending is not only variable from one election to the next, but it is also quite variable between communities of similar size. For example, the following table shows what candidates spent per resident spending differences in two sample communities in two different size groupings in 2011.

#### Sample of Candidate \$ Per Resident Spending in Two Community Sizes

Communities 4,000 to 5,500 people:

Community	Mayor	Council
Α	\$5.56	\$1.11
В	\$0.21	\$0.63

Communities 75,000 to 80,000 people:

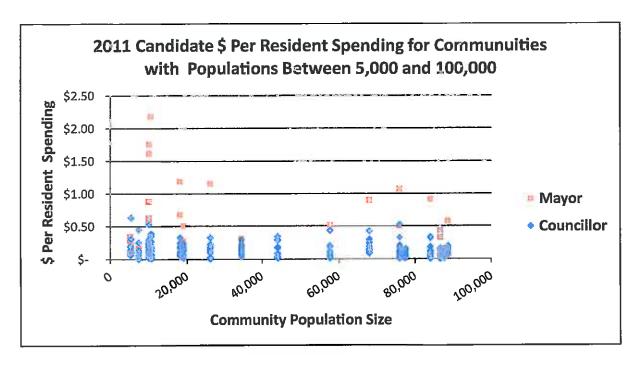
ł	Community	Mayor	Council
	С	\$0.79	\$0.12
	D	\$0.08	\$0.07

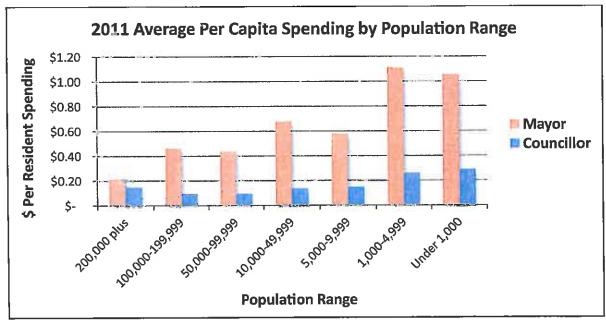
These examples suggest that

- spending in smaller communities can be high relative to the community's population, and
- spending in a community can be high relative to other similarly-sized communities.

Some candidates spend a lot more than their competitors. In communities of any size, some candidates are spending "outliers" compared to their competitors.

Mayoral candidates spend more than council candidates. Council candidates compete for one of several seats. The mayor's race is "winner take all" and may be more easily influenced by high spending in a tight race. In a sample of 492 disclosure statements from communities of all sizes in the 2011 election, mayoral candidates spent an average of almost 4 times more per resident than what council candidates spent (\$0.64 per resident and \$0.17 per resident respectively).





In addition to showing that mayoral candidates spend more than council candidates, the previous chart shows that per resident spending may be higher in small communities. Relatively higher per resident spending in smaller communities probably indicates that there is a certain base cost involved in campaigning, and possible economies of scale in larger communities.

Spending in Vancouver is uniquely high and appears to increase each election. In 2008, spending by all elector organizations that had at least one endorsed candidate elected, plus the spending disclosed by their endorsed candidates (whether elected or not), totalled about \$4.5 million. In 2011, the total was about \$5.3 million. Total spending in Vancouver is far higher than spending in any other community in BC.

Vancouver elections are unique in several ways. Vancouver is the most populous city, with almost 178,000 more people than the next largest city. Vancouver sees a consistently large number of candidates for all offices each year. It also has an elected parks board. No independent candidates were elected in 2008 or 2011. Vancouver also has longstanding tradition of elector organizations, with an apparent trend towards more formal operation (e.g. paid staff).

## Other observations:

In municipal elections, elected candidates almost always spent money to campaign; generally, they spent more money than those who were not elected. There are exceptions – candidates far outspending their competitors yet failing to obtain a seat, or candidates spending nothing and still obtaining a seat. It is difficult to say whether spending money "leads" to getting elected, though, because some low-spending unsuccessful candidates may not have put much effort into free and/or low-cost methods of campaigning.

Electoral area director candidates (in regional districts) tend to spend less than council candidates. Board of Education candidates also generally spend less than council candidates.

## So what do these trends mean for setting limits?

Campaign spending trends (as well as more detailed spending data) will be considered in developing an approach for setting expense limits. For example, since mayoral candidates spend more than council candidates, a higher limit for mayoral candidates would make sense. Limits should also take into account the basic campaign cost evident even in the smallest town.

# **Appendix 2: Expense Limits in Local Elections in Other Provinces**

## Which provinces have expense limits in local elections?

- Ontario all local governments
- Quebec local governments with populations over 5,000
- Manitoba all local governments
- Saskatchewan some local governments
- Newfoundland & Labrador some local governments (St. John's)

## Who sets the limits?

There are three basic approaches to setting expense limits:

- The province adopts provincial legislation setting the limits (Ontario, Quebec)
- The province requires municipalities to adopt a bylaw with campaign expense limits; the municipality chooses the limits (Manitoba requires all local governments to adopt a bylaw)
- The province allows municipalities to adopt a bylaw with campaign expense limits; the municipality chooses the limits (Saskatchewan, Newfoundland & Labrador)

#### What do the limits have in common?

Generally, the limits are sensitive to population. In provinces that set the limit, there is a formula involving a base amount plus a per elector amount. In most examples where the municipality sets the limits, the limit takes into account the number of electors.

In all cases where the limits are sensitive to population, municipalities are responsible for determining the number of electors in the jurisdiction/wards (usually through their municipally-maintained voters' lists), calculating the limits and informing candidates of their limits.

Where formulas are used, they generally have a provision for inflation tied to the Consumer Price Index.

Except for in Quebec, enforcing the limits is a local responsibility.

#### Caveats when looking at limits

It is difficult to compare limits because different provinces have very different rules as to how an election expense is defined, which election expenses actually count against the expense limit, and how long the period is in which spending is capped.

It can also be difficult to compare limits across jurisdictions because some cities are divided into wards. Under a ward system, council candidates compete to represent a geographically defined part of the city; usually the mayor is elected "at large" by voters across the city. Typically a candidate would not need very high limits if they are campaigning in only a small area. Toronto, Montreal and Winnipeg have wards. Currently only one BC local government uses a ward system.

In some provinces, local governments maintain a list of electors. Maintaining a voters list is not mandatory in BC. Many local governments do same-day registration.

#### Ontario

**Provincial legislation** sets the limits. Limits set by the *Municipal Election Act* apply to all local governments. The formula is the same for Toronto and for all other local governments.

Formula

Mayor - \$7,500 + 85 cents per elector

Council candidate - \$5,000 + 85 cents per elector

School board trustee candidate - \$5,000 + 85 cents per elector

Examples – 2010 elections

Toronto (2.5 million people\*)

Mayor - \$1.3 million (elected at large)

Council candidates in Ward 7 - \$27,464 (Ward 7 just one example; Toronto has 44 wards)

Mississauga (668,550 people\*)

Mayor - \$319,664

Council candidates - \$27,000 to \$39,000, depending on ward populations

School trustees - \$23,000 to \$45,000

Timmins (42,997 people\*)

Mayor - \$35,549

Council candidates - \$7,000 to \$19,000 depending on ward populations

Other notes on expense limits in Ontario

There is no regulation of third parties and no spending limits for third parties.

The 2010 local elections were the first with spending limits in place.

City administrators calculate the limits based on the estimated number of electors on the municipally-maintained voters' list and notify candidates of their limits.

Candidates' financial statements must be audited by an independent auditor before they can be filed. Enforcement of campaign finance rules is essentially a local matter.

<sup>\* 2006</sup> census population provided for sense of scale. Not all residents counted in the census would be qualified electors.

#### Quebec

Provincial legislation sets the limits. The limit formula is the same for all local governments.

#### Formula

Mayor – base of \$3,780, plus 30 cents per elector up to 20,000 electors; 51 cents for each elector from 20,000 to 100,000 and 38 cents per elector for each elector over 100,000 electors

Council candidate - base of \$1,890, plus \$0.30 per person

Municipalities under 5,000 people are generally exempt from campaign finance rules, except for limits on how much an individual can contribute and a requirement to disclose names of contributors.

## Other notes on expense limits in Quebec

Quebec amended the provincial legislation to reduce the spending limits by about 30 per cent of the previous limits. The 2013 elections were held under the new, lower limits.

Third party advertising is extremely tightly regulated. It is essentially prohibited for third parties to support candidates in ways that involve expenditure of funds (advertising, rallies, etc.). A group of electors (individual citizens) may apply for "private intervener" status during an election, but may only spend up to \$300 and may only disseminate a non-partisan message on a matter of public policy (e.g. private intervener groups are forbidden to promote/oppose candidates.

Municipalities appear to be responsible for maintaining a list of electors.

Elections Quebec enforces the campaign finance rules, including expense limits.

Quebec has 1,103 municipalities. Expense limits apply in municipalities over 5,000 people. There are 185 municipalities with a population of 5,000 or more. Those 185 municipalities cover 88% of Quebec's total population.

There are just over 900 municipalities with fewer than 5,000 people. Municipalities under 5,000 people have no spending limit, and no rules regarding expenses.

#### Manitoba

Provincial legislation requires municipalities to adopt a bylaw with campaign expense limits (and other campaign finance rules, such as contribution limits); the municipality chooses the limits.

Example – formula in City of Winnipeg Bylaw (population about 633,450)

Mayor - 35 cents per elector in the city (adjusted using consumer price index) — mayor limit in 2010 about \$150,000

Council candidate - 90 cents per elector in the ward (adjusted using consumer price index)

Example - City of Brandon Bylaw (population about 46,000; flat rate limit/no formula)

Mayor - \$16,000

Council candidate - \$4,000

Other notes on expense limits in Manitoba

Third party advertising is not specifically regulated or subject to expense limits. However, in the City of Winnipeg, expenses incurred by any individual, corporation, organization or trade union "acting on behalf of" a registered candidate count against the candidate's expense limit.

Winnipeg has had spending limits since 1990. Enforcement is essentially a local matter.

#### Saskatchewan

The Province allows municipalities to adopt a bylaw with campaign expense limits; the municipality chooses the limits

Example - City of Regina bylaw. Set limit (no formula specified in bylaw, though probable that a formula involving population was used to arrive at the limit)

Mayor - \$62,635

Council candidate - \$10,439

#### Newfoundland & Labrador

The Province allows municipalities to adopt a bylaw with campaign expense limits; the municipality chooses the limits. Candidates do not actually have to file an accounting of their expenses; they instead declare that they did not exceed the limits.

Example - City of St. John's bylaw.

Mayor and councillor candidates - \$10,000 base amount, plus \$1 per voter listed on the voters list in the ward or at-large area. Works out to around \$80,000 for mayors and \$25,000 for councillors.



#### Coast Garibaldi/Bella Bella/Bella Coola Health Services

Box 78, 494 South Fletcher Road Gibsons, BC V0N 1V0

Tel: 604-886-5600 Fax: 604-886-2250

From the Office of the Medical Health Officer

December 20, 2013

RECEIVED JAN - 2 2014

Dear Mayor, Council and Chief Administration Officer:

Many of you will have heard of the Ministry of Health, Healthy Family BC Communities initiative which is a provincial program, delivered in partnership with health authorities, to stimulate more local actions and policies to support health living.

The five core components for health community action:

- Establish partnerships for healthy community action
- Provide health expertise and support to local governments
- Develop effective assessment, planning and implementation tools and resources
- Build capacity
- Provide opportunities for community recognition and celebration

In support of this work the Ministry has announced a second round of funding in support of Healthy Communities. In this round, **due March 14, 2014**, there will be two grant streams. The first is similar to last year, \$5,000 capacity building grants available to local governments (First Nations, municipalities and regional districts). The second stream is new and offers \$20,000 innovation grants for areas where partnerships are already developed.

BC Healthy Communities Society is administering the grants and the information can be found on the PLAN H website: http://planh.ca/training-support/funding.

We would like to encourage you if you have not already, to considered these grants for your community and to contact myself if there is a way we can collaborate on a joint initiative.

Sincerely,

Paul Martiquet, M.D.,C.M.,CCFP.,M.H.Sc.,FRCP(c)

Medical Health Officer paul.martiquet@vch.ca www.vch.ca

December 31, 2013

To the Mayor and Council RMOW Whistler, B.C.

Dear Madame Mayor,

We recently received a copy of the letter from Nancy Johnson of Bylaw Services regarding a complaint that our property is among those being used for a commercial tourist accommodation and not in compliance with Zoning and Parking Bylaw No. 303, 1983. When the letter arrived we had not engaged in any "commercial", "temporary" or "tourist accommodation" business.

For as long as we have lived in Whistler (over 26 years) we have hosted many dozens of out-of-town guests, including some family, some friends, and some "unknowns". Many of these were here to volunteer or to support children in ski races hosted in Whistler. As well, we have hosted ski racers from other clubs or provincial teams, billets from our sister city in Japan, and friends of friends looking for a home away from home. During the Olympics we stayed home to volunteer, sharing our home with numerous other volunteers. We will continue to support events and host short-term visitors to Whistler in this way.

The nature of the complaint does not refer to our many houseguests over the years. Instead, the complaint is related to our recent invitation to offer one or two of our spare bedrooms to members of the AirBnB network. It is of interest that the letter from Bylaw Services came before we even had a chance to host any Air BnB guests, thus we cannot have interfered with any other business.

As with many of our contemporaries, our children grew up in Whistler and have since vacated their bedrooms, leaving us as "empty nesters". Having traveled extensively, we are keen to share our now over-sized family home with interesting people who are in Whistler on a short-term basis. As retirees we are not interested in sharing our home with young, long-term "room mates". It was our misconception (in retrospect) that through this membership network we could invite people to share our home so long as we were home to welcome them and "look after" them as we do with all our houseguests and other "billets". We are not interested in running a commercial accommodation service and we are not prepared to "rent out" our home (or even part of our home) on a nightly basis, or to unknown or unsupervised strangers.

Certainly our houseguests (family, friends, students, athletes, volunteers & billets) have never been left on their own in our home, and have never been disruptive in our zoned "residential area" of Alpine Meadows. However, there are a number of monthly renters on our street alone who are quite disruptive with their tendency for noisy late-night parties, high ratio of cars to beds, high ratio of renters to bedrooms, couch-surfers, unleashed dogs, mysterious 5-minute visitors, and a general lack of respect for property or neighbourhood etiquettes. Much of this is perhaps due to the absence of a homeowner / landlord. These renters (legal because they rent for more than 30 consecutive nights, but certainly appear to have short term visitors) are providing the residents here with a good deal to gripe about.

What are the municipality's responsibilities, and intentions in pursuing issues around all rentals including this recent complaint regarding Bylaw No. 303, 1983? If it a matter of loss of hotel tax revenue, I am sure that anyone accepting cash in lieu of a spontaneous gift from houseguests would be happy to conform to a system of collecting/paying a muni tax or contribution to a Community Services fund or other. It is even likely that web based groups like Air B&B would be prepared to collect this tax on behalf of the muni and forward it directly to the RMOW or designate. If there is evidence of short-term rentals being a disturbance, we doubt this is the case where the owner is in the home. It seems this complaint is more likely due to frustration among a few B&B operators who feel are not earning as much as anticipated, so they see the more casual hosts (such as AirBnB members) as competitors for their business. Members of groups such as AirBnB are quite possibly a whole new demographic that Whistler looses if we chase them away. We think it is quite probable that these are people who are far less interested in either hotels or conventional B&Bs, and of course there is still a much larger population interested in these.

There are several quite different accommodation situations that affect the character of the resort and community of Whistler:

- 1. The renting or sub-letting of an entire house by an absentee landlord (presently legal in any zone so long as it's for more than 30 days)
- 2. The renting of a suite or bedroom in one's house where the owners are present, or not (legal in any zone so long as it is for more than 30 days))
- 3. The renting of a house or condo or bedroom in a house on a short term basis (legal only in designated zones)
- 4. Renting one or more bed units on a nightly basis in a residential zone (legal only for approved / taxed B & B businesses).

# We propose Council consider a 5<sup>th</sup> option:

5. Opening a private home to a (to be determined) maximum number of (paying) guests for a (to be determined minimum) number of nights, where the owner is present and treats visitors like family, similar to the way we already host short term guests during a "home stay" or as "billets". Hosts would be required to be at home to welcome, inform, and ensure these guests enjoy a more familial experience than they might at a hotel, a hostel, or a commercial B&B. Hosts would be responsible to ensure neighbours are not disrupted, that any guest vehicles are parked on the property and ensure visitor impact is not different from what is expected during any short term family visit in a family home in a residential "zone".

We think there is plenty of evidence that situations 1, 2 & 3 above - when landlords or managers are absent - are more detrimental to the Whistler resident and guest experience than either of 4 or 5. All of us are aware of overpricing, and overcrowding brought about by these situations, and the consequential attitudes this produces. For example, a 2-bedroom suite near us is stuffed with 6 young guys (at a claimed rent of \$4000 per month) who are here to party for two or three months during their 'gap' year, they have an absentee landlord. This is far more disruptive in our neighbourhood than any short-term, supervised guests who might stay in our family home. Thought needs to be given to improving the regulations on all of the above situations.

We suggest that Council start a conversation about how best to structure a bylaw that would allow full time residents to (legally) host guests for limited stays and accept payment for this, so

long as they are on the premises. We are, after-all, the resort's ambassadors, keen to share our local knowledge and enthusiasm about Whistler in a way that is appeals to those who prefer a home stay to a commercial hostel, B&B, or hotel. I am confident we are not alone in thinking that Whistler needs a legal "homestay" bylaw.

As you know, a number of locals have discovered the Air B&B network. We first became members last year when traveling in another country and we very much appreciated the "home stay" opportunity it provided for us. Through this site we were able to connect with real people, check each other's references, communicate our priorities in advance, and feel like friends when we arrived. In each case we were personally welcomed into private homes where we were trusted to respect personal property.

Just before the letter from Nancy Johnston arrived our grown children convinced us to reciprocate and become Air BnB hosts. When the letter from Nancy arrived we complied with the Bylaw request and removed our hosting information from the AirBnB site. We will comply with the present bylaw, of course, but request that some consideration about changes to the present bylaw be part of a conversation at council.

In conclusion, our priority is to keep our spare rooms available for family, friends and more importantly for our grown children when they come home to visit. When they are not here we will continue to host or "billet" others, be they family, friends, volunteers or friends of family and friends. We are not interested in having long-term roommates, but would like to welcome short-term guests, people who would like to compensate us for providing them with a home away from home. We feel this can be positive for our resort community, and could be managed in such a way that it does not compete with commercial accommodations available (hotels, hostels & B&Bs). We believe some sort of (legal) homestay alternative could enhance rather than detract from the overall visitor experiences offered within the RMOW.

Thank you for considering these ideas, and the possibility of allowing locals in residential neighbourhoods to engage in responsible hosting.

Yours respectfully,

Alan G. Whitney alwhitney@telus.net

Irene E. Whitney
<a href="mailto:Irene.whitney@gmail.com">Irene.whitney@gmail.com</a>

8452 Matterhorn Drive Whistler, B.C V0N 1B8

cc to Nancy Johnston Bylaw services



# The Evolution of Gay & Lesbian Ski/Snowboard Week

January 3, 2014

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

re: Request for Proclamation of Pride Week January 26 - February 2nd, 2014

Dear Mayor of Whistler and Council:

On behalf of the Gay & Lesbian community and Alpenglow Productions we are asking if the Mayor and Council will Proclaim January 26 - February 2nd, 2014 Pride Week. The significance of this extra step from the civic government demonstrates to the LGBT community that Whistler not only welcomes everyone but are willing to take the extra step in ensuring diversity and inclusiveness is part of this community's fabric.

For the past two years the RMOW has proclaimed Pride Week during WinterPRIDE and flown the symbolic Rainbow Flag at the Municipal Hall. We would be appreciative if the Mayor and council would once again extend the same courtesy and privilege.

Thank you for your time and consideration.

Warm regards,
Dean Nelson
CEO, Executive Producer
Alpenglow Productions - GayWhistler
4005 Whistler Way
Whistler, BC, V0N 1B4





**From:** Tracey Saxby [mailto:traceysaxby@gmail.com]

**Sent:** Monday, January 06, 2014 4:01 PM

To: Donna Wango; info

Cc: Jack Crompton; Duane Jackson; Jayson Faulkner; John Grills; Andrée Janyk; Roger McCarthy

**Subject:** Forests as carbon credits

Dear Mayor, Councillors, and staff:

I'm a resident of Squamish (but recreate in Whistler), and I recently heard via the grapevine that the Resort Municipality of Whistler bought the logging rights to forests surrounding Whistler to preserve them to maintain aesthetic views etc., but that the Province is forcing you to log these forests or lose the rights to log them?

If this is the case, I wanted to share some information I learned at a conference I was at recently...

REDD+ is a UN Programme that aims to reduce emissions from deforestation and forest degradation in developing countries. In a nutshell it:

- Helps landowners to conserve their forest and in doing so, stops emissions of greenhouse gases that would happen if logging occurred.
- Helps landowners to produce carbon credits that they can sell (instead of logs).
   1 tonne of emissions saved = 1 carbon credit
- The forest becomes just as valuable (financially) left standing as it would have been cut down (I'm not sure whether this is still true when looking at Canadian costs/benefits?).
- Sustains the financial benefits and diversifies income streams.
- Maintains availability of free forest goods and ecosystem services (clean water and air, views, habitat etc.), thereby maintaining community resilience.

I'm not sure whether this programme will be able to assist directly, but I'm sure that they would be willing to share publications, research, and other information with you. http://www.un-redd.org/

The Intergovernmental Panel on Climate Change (IPCC) has estimated that deforestation and forest degradation contribute to approximately 17 per cent of all greenhouse gas emissions globally (IPCC, 2007 Fourth Assessment Report).

I would argue that forcing monetary extraction through logging is a narrow economic view of the total monetary value our forests could provide if left in place. For example, how will the tourism industry be affected in Whistler if there are huge logging scars on the surrounding mountains? What is the actual cost of clean water and fresh air and other ecosystem services that forests provide? What is the potential income generating capacity of selling carbon credits?

I hope this information is useful, and applaud Whistler's efforts in environmental stewardship.

Sincerely, Tracey Saxby 1837 Garden Place Squamish BC V8B 0C2 P: 604-892-5096