

WHISTLER

PUBLIC HEARING OF MUNICIPAL COUNCIL TUESDAY, JUNE 4, 2013 STARTING AT 6:00 PM

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

The Public Hearing is convened pursuant to Section 890 of the Local Government Act R.S.B.C. 1996, c. 323 to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013" (the "proposed Bylaw(s)").

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. No one will be discouraged or prevented from making their views known. However, it is important that remarks be restricted to matters contained in the proposed Bylaw.

When speaking, please commence your remarks by clearly stating your name and address.

Members of Council may, ask questions following presentations however, the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw.

As stated in the Notice of Public Hearing,

Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013

PURPOSE OF ZONING AMENDMENT BYLAW (IAM1 ZONE AMENDMENTS) NO. 2031, 2013

In general terms, the purpose of the proposed Bylaw is to amend the IAM1 (Institutional Art Museum One) zone to increase the density and to remove the limitations on retail sales auxiliary to an art museum use.

Explanation Explanation by Municipal staff concerning the proposed Bylaw.

Submissions Submissions by any persons concerning the proposed Bylaw.

Correspondence Receipt of correspondence or items concerning the proposed Bylaw.

ADJOURNMENT

PUBLIC HEARING DOCUMENT INDEX

| Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 | | |
|--------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Document Type | Date | Details |
| Public Hearing Document Index | | |
| Notice of Public Hearing | | |
| Bylaw | 21-May-13 | Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 |
| Report | 21-May-13 | Administrative Report to Council No. 13-048, "4330- 4340 Blackcomb Way – IAM1 Zone Amendments for Audain Art Museum" from the May 21, 2013 Council meeting package. |
| Presentation | 21-May-13 | Presentation slides from the May 21, 2013 meeting of Council regarding Administrative Report No. 13-048. |
| Council Minutes | 21-May-13 | Minutes of the Regular Meeting of Council of May 21, 2013 (DRAFT). |
| Other | 7-May-13 | Presentation slides from the May 7, 2013 meeting of Council by Jim Moodie, Audain Foundation board member, regarding an update on the Audain Art Museum. |



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler. BC Canada V0N 1B4
Www.whistler.ca
TEL 604 932 5535
TF 1 866 932 5535
FAX 604 932 8109

NOTICE OF PUBLIC HEARING

Tuesday, June 4, 2013 – 6:00 p.m.

Maurice Young Millennium Place
Franz Wilhelmsen Theatre
4355 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (IAM1 ZONE AMENDMENTS) NO. 2031, 2013

Notice is hereby given in accordance with the *Local Government Act* RSBC, 1996, c.323 that the Council of the Resort Municipality of Whistler will hold a Public Hearing to consider representations regarding amendments to the Resort Municipality of Whistler's "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013" (the "proposed Bylaw").

AT THE HEARING the public will be allowed to make representations to Council or present written submissions respecting matters contained in the proposed Bylaw and will be afforded a reasonable opportunity to be heard. Written submissions must be addressed to "Mayor and Council" and may also be submitted prior to the public hearing by:

Email: corporate@whistler.ca

Fax: 604-935-8109

Hard Copy: Legislative Services Department

4325 Blackcomb Way Whistler BC V0N 1B4

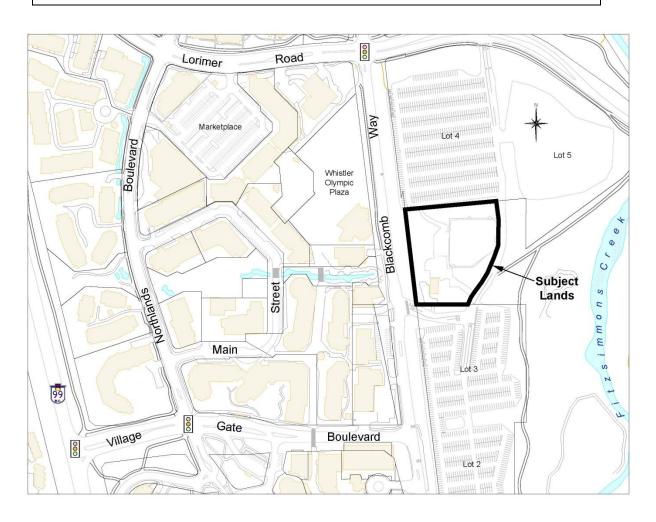
SUBJECT LANDS: The lands, which are the subject of the proposed Bylaw, are located at <u>4330-4340 Blackcomb Way</u> ("the Lands"). More specifically these lands are legally described as that portion of Block D, District Lots 5028, 7641, and 7922, Group 1, NWD, PID: 025-120-093, and are shown outlined in heavy black line on the map attached to this Notice.

PURPOSE OF "ZONING AMENDMENT BYLAW (IAM1 ZONE AMENDMENTS) NO. 2031, 2013": In general terms, the purpose of the proposed Bylaw is to amend the IAM1 (Institutional Art Museum One) zone to increase the density and to remove the limitations on retail sales auxiliary to an art museum use.

AND FURTHER TAKE NOTICE that a copy of the proposed Bylaw and related documents which have been or will be considered by Council may be inspected at the Reception Desk of Municipal Hall of the Resort Municipality of Whistler located at 4325 Blackcomb Way, Whistler, British Columbia, between the hours of 8:00 a.m. and 4:30 p.m., from Monday to Friday only, until June 4, 2013 (inclusive) (statutory holidays excluded).

Shannon Story Corporate Officer

ZONING AMENDMENT BYLAW (IAM1 ZONE AMENDMENTS) 2031, 2013 SUBJECT LANDS – 4330-4340 BLACKCOMB WAY



RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (IAM1 ZONE AMENDMENTS) NO. 2031, 2013

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

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

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

- 1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013".
- 2. The lands which are the subject of this Bylaw are that portion of:

Block D, District Lots 5028, 7641 and 7922, Group 1, NWD

legally described as PID: 025-120-093

as shown outlined in heavy black line on the sketch plan attached as Schedule 1 to this bylaw.

- 3. Section 19 of Zoning and Parking Bylaw No. 303, 1983 is amended by:
 - (a) In Subsection 6.2.1, deleting "4,000 square meters" and inserting "5,640 square metres".
 - (b) In Subsection 6.2.2 deleting "80 square metres" and inserting "90 square metres".
 - (c) In Subsection 6.2.3 deleting "100 square metres" and inserting ""107 square metres".
 - (d) Deleting Subsection 6.8.

Given first and second reading this 21st day of May, 2013.

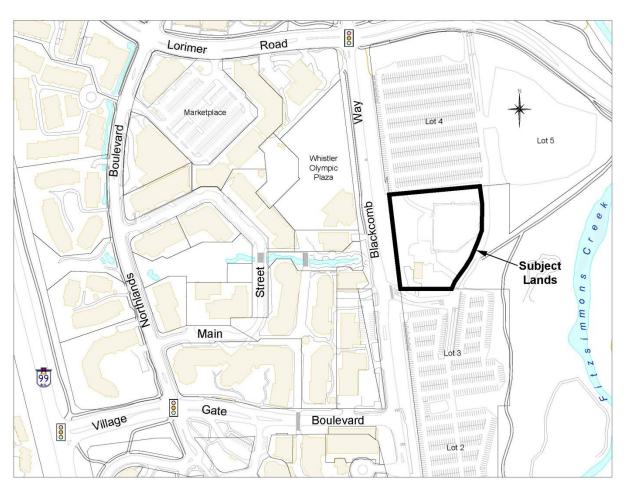
| Pursuant to Section 890 of the <i>Local G</i> | overnment Act, a Public Hearing was held this day of |
|-----------------------------------------------|------------------------------------------------------|
| Given third reading this day of | |
| Approved by the Minister of Transporta | ation and Infrastructure this day of, |
| Adopted by the Council this day of _ | ,· |
| | |
| Nancy Wilhelm-Morden Mayor | Shannon Story Corporate Officer |

"Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013"

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013"

Shannon Story Corporate Officer

SCHEDULE 1



Subject Lands "Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013"



WHISTLER

REPORT ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: May 21, 2013 **REPORT**: 13-048

FROM: Resort Experience FILE: 8363, RZ1075,

Bylaw 2031

SUBJECT: 4330-4340 BLACKCOMB WAY - IAM1 ZONE AMENDMENTS FOR AUDAIN

ART MUSEUM

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 and second readings to Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013;

That Council authorizes the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 and to advertise for same in the local newspaper; and further,

That before consideration of adoption of Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013, a floodproofing report certified by a Qualified Professional Engineer shall be delivered to the General Manager of Infrastructure Services stating that the lands may be safely used for the use intended and the development will have no material effect on the existing diking system if the lands are constructed on and used in accordance with the conditions specified in the floodproofing report.

REFERENCES

Location: 4330-4340 Blackcomb Way

Legal Description: Block D, District Lots 5028, 7641 and 7922

Owners: Resort Municipality of Whistler
Current Zoning: IAM1 (Institutional Art Museum One)

Appendices: "A" Location Map

"B" Architectural Plans

PURPOSE OF REPORT

This report describes the proposed zoning amendment to the IAM1 (Institutional Art Museum One) zone to increase the density provisions and to remove the limitations on retail sales. This report also seeks Council's consideration of first and second readings for Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013.

DISCUSSION

Background

On April 16, 2013 Council adopted Zoning Amendment Bylaw (Art Museum) No. 2023, 2013. The purpose of Bylaw 2023 was to rezone municipally owned lands situated in Whistler Village between Day Lots 3 and 4 from RR1 (Rural Resource One) to IAM1 (Institutional Art Museum One), a new site specific institutional zone to permit art museum and specified auxiliary uses to facilitate the development of the Audain Art Museum. The IAM1 zone permits a maximum gross floor area of all buildings and structures of 4,000 square metres (43,000 sq. ft.), of which not more than 80 square

metres may be used for auxiliary retail sales purposes and 100 square metres for an auxiliary residential dwelling unit for employee housing.

Also on April 16, 2013, Council approved the Development Permit 1283 for the Audain Art Museum.

On May 7, 2013, representatives of the Audain Art Museum Foundation presented, as a delegation to Council, a description of their proposal to expand the museum beyond what the existing zoning and approved development permit authorizes. The Audain Art Museum Foundation had forecasted that the approved art museum would outgrow its temporary exhibit space within approximately 10 – 15 years, and that an addition at that time would be expensive and disruptive.

Description of Proposed Development

The museum expansion plans propose a 1,491 square metre (16,150 sq. ft.) addition to the museum building, bringing the total gross floor area to approximately 5,131 square metres from the 3,640 square metres approved in Development Permit 1283. The proposed addition is in the form of a new wing to the building. The building will continue to be a 3-storey building.

The museum proponents are proposing the expansion primarily to enable more space to accommodate temporary exhibits. There are also small additions proposed to the lobby/reception, museum shop, museum support, building support and circulation spaces in the building. A comparison is provided in the table below of the floor areas of some of the key uses in the building as currently proposed and as approved in Development Permit 1283.

| | Current Proposal (sq. m.) | DP 1283 (sq. m.) |
|--------------------------|------------------------------|------------------|
| Lobby/reception | 231 | 206 |
| Museum shop | 82 | 69 |
| Education space | 57 | 65 |
| Gallery exhibition space | 1,829 | 1,236 |
| Administration space | 195 | 200 |
| Museum support space | 382 | 205 |
| Caretaker suite | 97 | 97 |
| Building support | 233 | 130 |

By carefully positioning the proposed building addition between areas of existing vegetation, removal of existing high-value trees is minimized (the Tree Preservation Plan identifies that two existing surveyed deciduous trees will need to be removed for the proposed addition).

Other uses on the site continue to include an outdoor sculpture garden and public pedestrian trails connecting Village Park to the valley trail along Fitzsimmons Creek and Day Lots 3 and 4.

Ten staff parking spaces for staff and caretaker use and one loading space continue to be proposed on-site. A bus lay-by continues to be proposed along Blackcomb Way near the entrance to the site.

The architectural plans and landscape concept are attached as Appendix B.

Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013

The zoning amendment bylaw proposes to amend the IAM1 (Institutional Art Museum One) zone to increase the maximum permitted gross floor area and to remove the limitations on retail sales.

The zoning amendment bylaw would increase the density provisions of the IAM1 zone as follows:

- permit the maximum permitted gross floor area of all buildings and structures in the IAM1 zone to be increased to 5,640 square metres (60,700 sq. ft.) from 4,000 square metres (43,000 sq. ft.);
- permit the total permitted gross floor area for retail sales auxiliary to an art museum use to be increased to 90 square metres from 80 square metres;
- permit the total permitted gross floor area for auxiliary residential dwelling unit for employee housing to be increased to 107 square metres from 100 square metres.

The maximum gross floors areas specified in the IAM1 zone would allow an approximate ten percent buffer over the gross floor areas specified in the architectural plans submitted for rezoning. Although the IAM1 zone does not have floor space ratio (fsr) regulations, using the site area, which is smaller than the parcel area, the fsr is approximately 0.45. For comparison, the maximum fsr in the CC1 Zone of Whistler Village is 3.5, although the actual built fsr ranges from 0.61 to 3.5.

Additionally, the zoning amendment bylaw would delete the following section from the IAM1 zone:

"Other Regulations

6.8 For certainty, the art museum and retail sales uses permitted in this zone do not include the retail sale of original works of art, but this limitation does not preclude such occasional deaccessioning of original works of art as ordinarily occurs in the curation of art collections."

This section is proposed to be deleted as the municipality has not found it necessary in similar zones within the municipality and it has not been identified as a problem. For example the LR7 (Leisure Recreation Seven) Zone, the intent of which is to provide for a First National Cultural Centre, does not include such a "for certainty" provision of this type and relies, like the IAM1 zone, on gross floor area limits for auxiliary retail use.

Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 forms part of the May 21, 2013 Council Package.

ADP Review

The rezoning/development permit proposal for the building addition will be submitted to the Advisory Design Panel for review on May 29, 2013.

WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies of arts, culture and heritage, economic finance, partnership visitor experience and built environment.

| W2020 Strategy | TOWARD Descriptions of success that resolution moves us toward | Comments | |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Arts, Culture and Heritage | Arts, cultural and heritage opportunities attract visitors and contribute to the experience and local economy. | An art museum is consistent with opportunities identified in Whistler's Cultural Tourism Strategy to build a purpose built public art museum to support Whistler's cultural tourism development by strengthening Whistler's tourism economy, attracting visitors and enhancing the Whistler experience. | |
| | Whistler is renowned for world-class arts, cultural and heritage opportunities and has become a magnet for international artists who come here to perform, create, teach and be inspired. | | |
| Economic | Whistler has a diversified and year-round tourism economy. | | |
| | Whistler proactively seizes economic opportunities that are compatible with tourism. | | |
| Finance | Whistler has a healthy economy that | | |

| | generates revenue to contribute to the resort's funding base. | |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Resort community partners work together to identify shared spending priorities, share resources, and leverage funds and financing opportunities. | The RMOW and Audain Art Museum are working together to optimize this |
| Partnership | Decisions consider the community's values as well as short and long-term social, economic and environmental consequences. | investment opportunity. |
| Visitor Experience | The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again. | The zoning amendment will enable an expanded tourism opportunity supported by Whistler's Cultural Tourism Strategy. |
| Built Environment | The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscapses and evoking a dynamic sense of place. | This will be ensured through the DP process. |
| | To maintain vibrancy, Whistler Village is the core of the resort community. | The zoning amendment will further support Whistler Village as the core of the community. |
| | Limits to growth are understood and respected. | The zoning amendment adheres to the community-determined growth limits established in the OCP. Further, the IAM1 zone will continue to have a maximum gross floor area limit for certain specified auxiliary uses to ensure they remain ancillary. |

| W2020 Strategy | AWAY FROM Descriptions of success that resolution moves away from | Mitigation Strategies and Comments |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Finance | The resort community effectively and efficiently balances its costs and expenditures. | It is anticipated that any staff processing costs by the municipality to realize the zoning amendment will be result in a long-term economic benefits to the resort community. |
| Energy | Energy isused efficiently through market transformation, design, and appropriate end use. | The building expansion may require increased energy requirements. A green building commitment, registered |
| | The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated. | as a Section 219 covenant, and meeting the Green Building Policy was a condition of adoption of the original rezoning. This covenant will continue to be valid. |

OTHER POLICY CONSIDERATIONS

Official Community Plan

The zoning amendment has been reviewed with respect to relevant policy contained in the OCP and supports key objectives and policies contained within the growth management, land use and development, quality of life, and climate action and energy chapters of the OCP.

| Objective/Policy | Comments |
|------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Objective 3.1.1 – Establish and adhere to community-determined growth limits through this OCP. | The zoning amendment supports this objective. |
| Policy 3.1.1.2 – Contain Whistler's urban | The subject lands are within the boundary of the |

| development within the boundary of the Whistler | Whistler Urban Development Containment Area. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Urban Development Containment Area. | · |
| Policy 3.1.2.1 – Support flexibility, diversity, adaptability and efficiency in land use and development so the resort community can derive the greatest benefit from existing development. | A zoning amendment at this time, instead of in 10 – 15 years, supports this policy. |
| Policy 3.2.1.3 – Minimize land disturbance and conversion of remaining undisturbed natural areas to development. | The proposal supports this policy. |
| Policy 3.2.1.4 - Support land uses and development that contribute to a diversified tourism economy compatible with Whistler's resort community character & values. | The proposal is consistent with opportunities identified in Whistler's Cultural Tourism Strategy to build a purpose built public art museum to support Whistler's cultural tourism development by strengthening Whistler's tourism economy, attracting visitors and enhancing the Whistler experience. |
| Policy 3.2.1.5 - Respect and reinforce Whistler's single Town Centre concept. | The subject lands are in Whistler Village. |
| Objective 3.2.2 – Protect human safety and property from natural hazards. | The recommended condition of adoption of the zoning amendment related to submission of an updated floodproofing report will ensure the site can be used safely for the use intended and the development will have no material effect on the existing diking system. |
| Policy 3.3.1.1 – Designate the general land uses that are supported by this OCP for each parcel of land within the municipal boundaries as shown on Schedule A Whistler Land Use Map. | The proposed uses are consistent with the Core Commercial land use designation. |
| Objective 4.9.1 – Reinforce Whistler Village as Whistler's Town Centre, functioning as the commercial and social hub of the resort community and focused on delivering a dynamic and authentic resort experience for residents and visitors. | The zoning amendment supports this objective. |
| Objective 7.8.1 - Support programs, partnerships & venues for furthering Whistler's arts, culture & heritage sectors. | The zoning amendment supports this objective. |
| Objective 7.8.2 - Increase opportunities for education, participation & enjoyment of arts, culture & heritage for residents & visitors. | The zoning amendment supports this objective. |
| Policy 7.8.2.1 - Support non-profit & private- sector efforts to increase arts, culture & heritage opportunities. | The zoning amendment supports this policy. |
| Objective 8.1.1 – Make energy conservation the core strategy and highest priority for achieving our GHG emission reduction goals. Policy 8.1.1.1 – Apply the RMOW Green Building Policy to support our community-wide commitment to GHG reduction and energy performance. | A green building commitment, registered as a Section 219 covenant, and meeting the Green Building Policy was a condition of adoption of the original rezoning. This covenant will continue to be valid. |

Zoning and Parking Bylaw – Parking and Loading Regulations

The existing IAM1 zone requires that a maximum of 10 parking spaces shall be provided on-site.

4330- 4340 Blackcomb Way – IAM1 Zone Amendments for Audain Art Museum Page 6
May 21, 2013

Typically Table 6-A of the Zoning Bylaw is utilized to determine minimum parking and loading space requirements for each use of a site. Per Table 6-A, the proposed museum expansion would generate the requirement for an additional 25 parking spaces, or a requirement for a total of 94 parking spaces and 1 loading space on the same parcel as the building or use for which they are required.

The original rezoning for the site utilized the same rationale with respect to on-site parking as the recommendations of the 2006 Bunt & Associates Parking Report, which was prepared for the municipality for the development of the adjacent Lots 1 and 9. This report identified that patrons of Lots 1 and 9 could rely on the shared public parking supply within convenient walking distance of the site, however, recommended that employee parking be provided on-site.

There is no proposed increase in on-site parking provided. Any additional parking requirements would rely on adjacent parking.

BUDGET CONSIDERATIONS

As the municipality is initiating the rezoning, rezoning application and processing fees do not apply. All costs associated with staff time for the rezoning application will come from municipal operating budgets. Any third party disbursements (eg. notices, legal fees) associated with the rezoning will be paid by the Audain Art Museum.

COMMUNITY ENGAGEMENT AND CONSULTATION

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

Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 will be subject to a public hearing adhering to statutory public notice requirements.

SUMMARY

This report presents Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 for Council consideration of first and second reading. The zoning amendment bylaw proposed to amend the IAM1 (Institutional Art Museum One) zone to increase the density provisions and to remove the limitations on retail sales.

Respectfully submitted.

Melissa Laidlaw SENIOR PLANNER for Jan Jansen GENERAL MANAGER, RESORT EXPERIENCE

APPENDIX A

LOCATION MAP





6 MAY 2013

AUDAIN ART MUSEUM WHISTLER, BRITISH COLUMBIA

Patkau Architects Inc



1 BLACKCOMB WAY VIEW



Patisau Architecto Inc.
164 West 6th Ann
Vincouve, 267
Ceaded Vid 1972
F 00 6403 7324

Audain Art Museum
Vihidaler, British Columbia

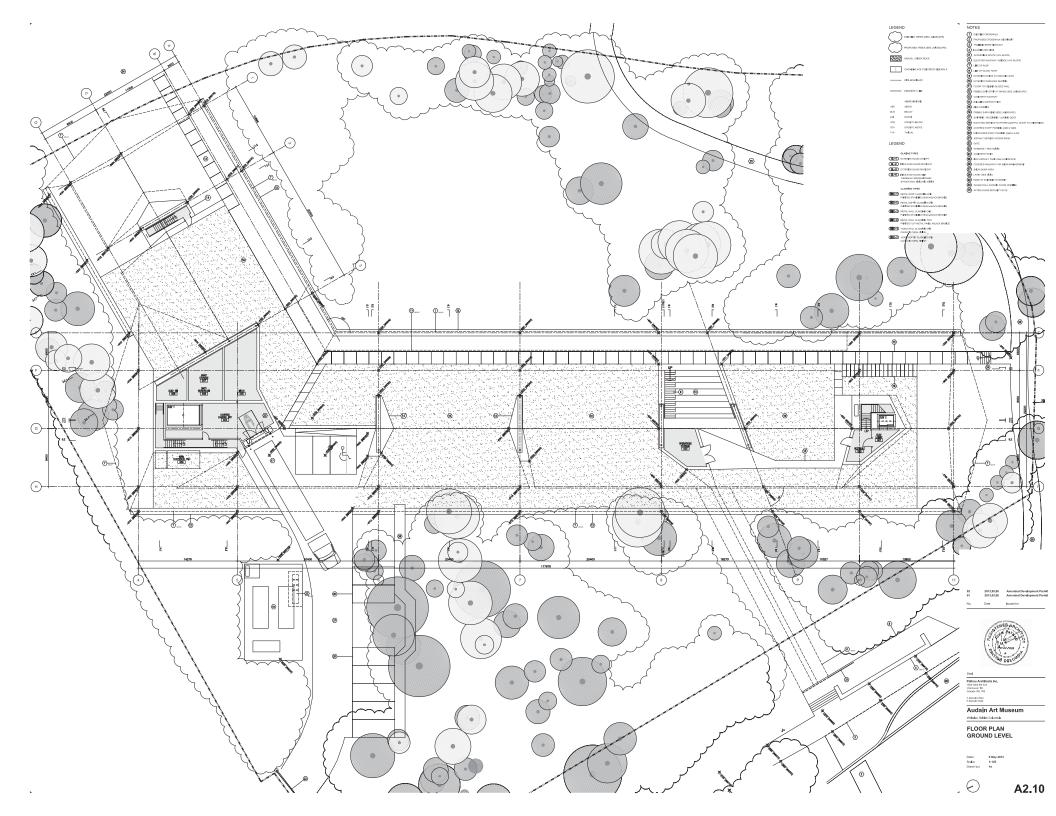
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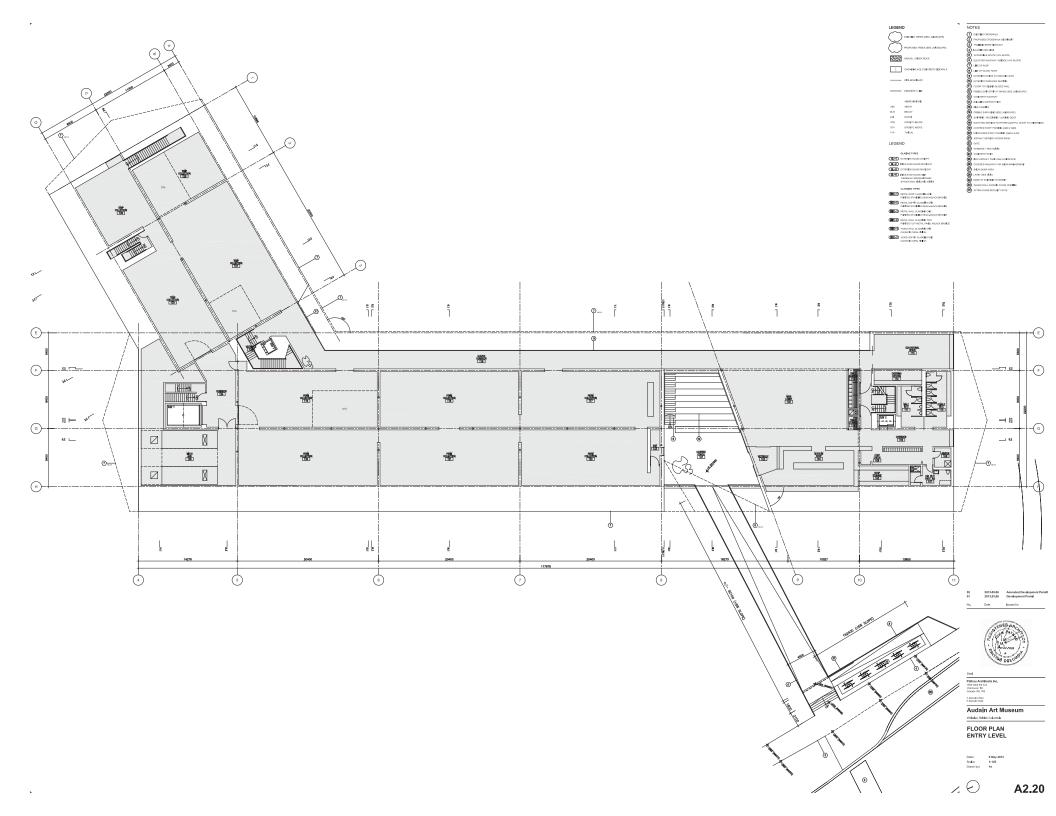


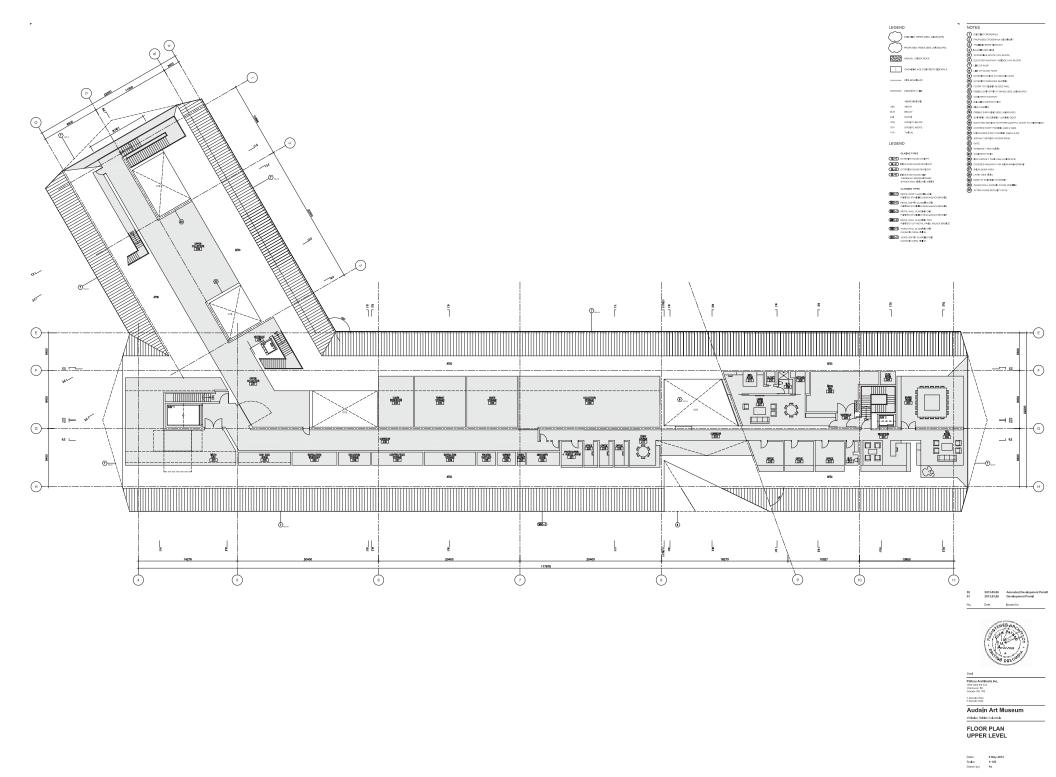




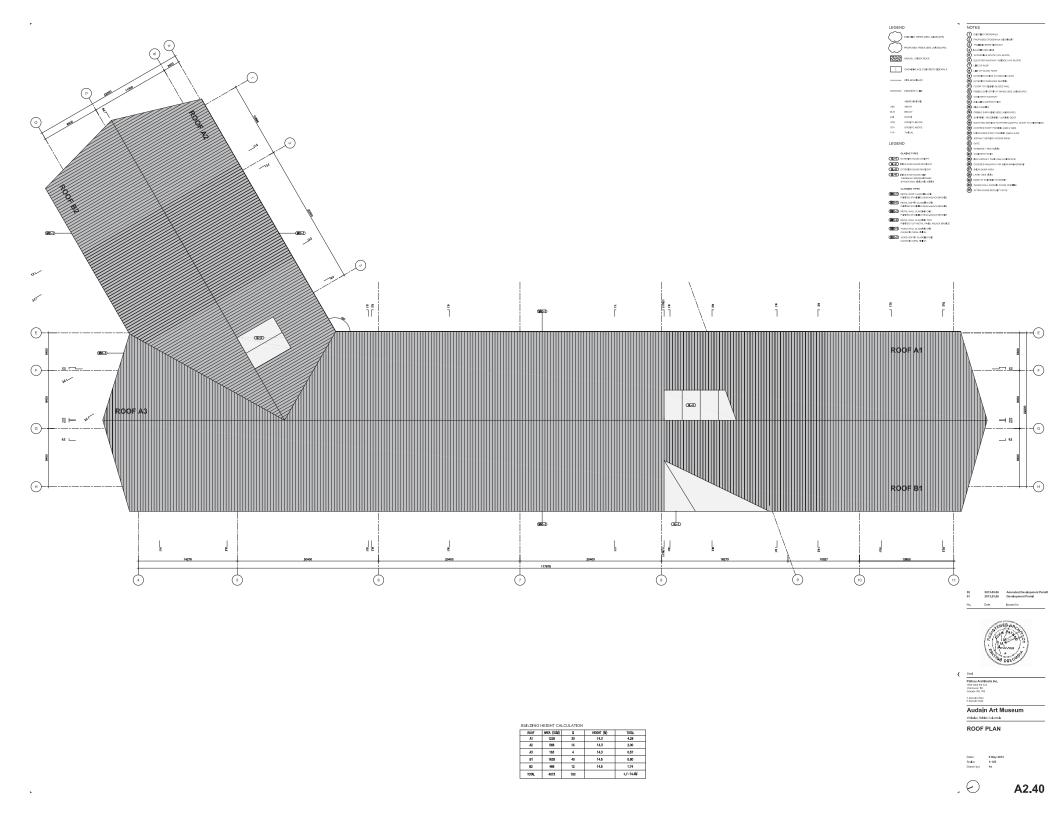


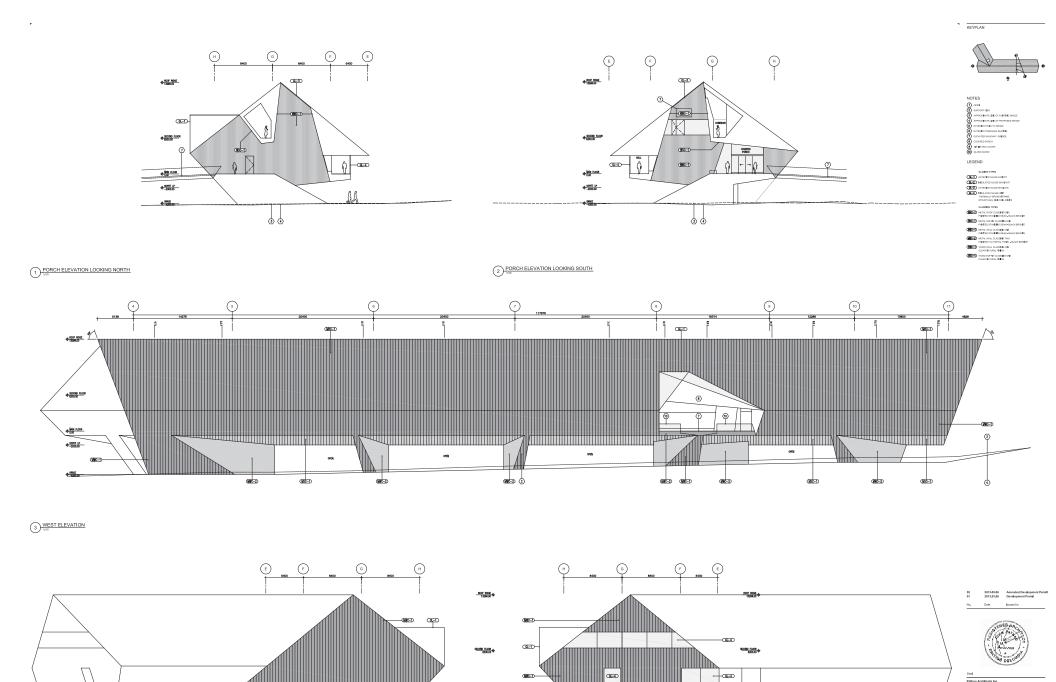






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5 SOUTH ELEVATION

4 NORTH ELEVATION

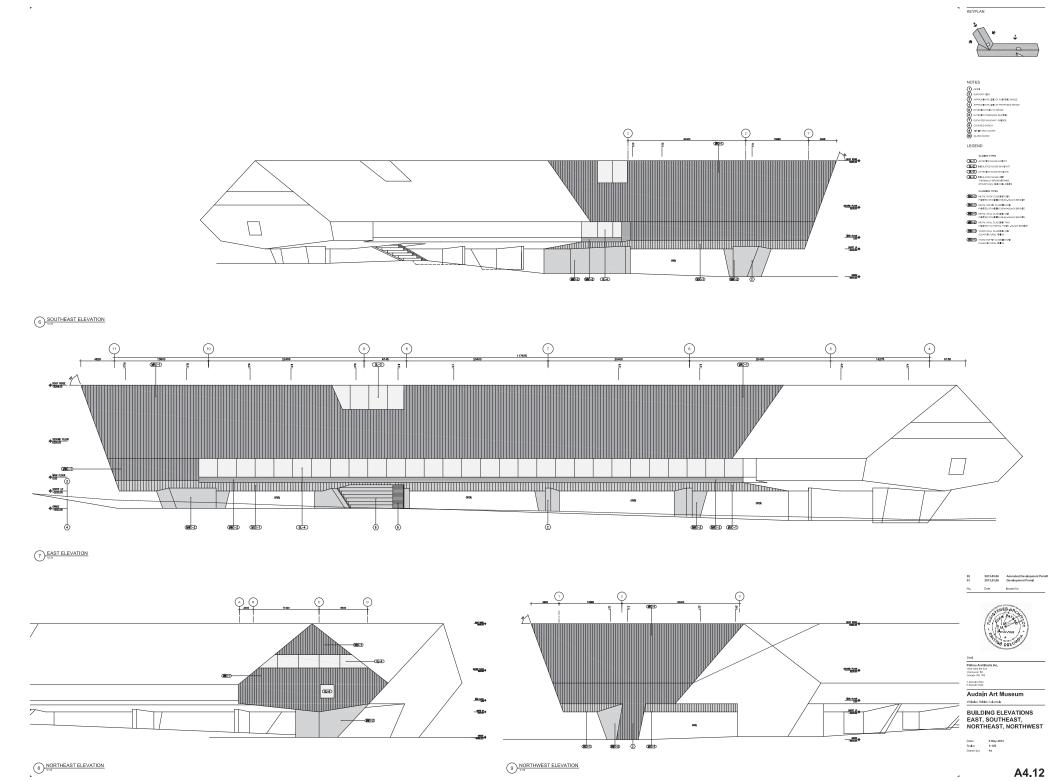
3 4

Audain Art Museum

Whiteler, British Columbia

BUILDING ELEVATIONS
WEST, NORTH + SOUTH

Date: 6 May 2013 Scale: 1:125 Daywe by: PA



A4.12

RZ 1075 4330-4340 Blackcomb Way **IAM1 Zone Amendments for Audain Art Museum**

Council Presentation May 21, 2013

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 Canada VON 1B4 www.whistler.ca



Background

- April 16, 2013 Council adopted a zoning amendment bylaw to rezone RMOW owned lands to permit up to 43,000 sq. ft. art museum with specified auxiliary uses.
- April 16, 2013 Council approved DP 1283 for art museum.
- May 7, 2013 Delegation to Council by Audain Art Museum Foundation describing proposal to expand museum beyond what existing zoning permits.

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 Canada VON 1B4 www.whistler.ca



Subject Lands



- Located at 4330-4340 Blackcomb Way
- 1.22 ha
- Owned by RMOW
- Suitable to accommodate a larger museum

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 Canada VON 1B4 www.whistler.ca



Proposed Development



RESORT MUNICIPALITY OF WHISTLER

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Proposed Development



RESORT MUNICIPALITY OF WHISTLER

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Zoning Amendment Bylaw (IAM1) Zone Amendments) No. 2031, 2013

Purpose

To amend the IAM1 zone to:

- > increase the density,
- remove the limitations on retail sales auxiliary to an art museum use.



Zoning Amendment Bylaw (IAM1) Zone Amendments) No. 2031, 2013

Density

- permit the maximum permitted gfa in the IAM1 zone to be increased to 5,640 sq. m. from 4,000 sq. m.
- permit the total permitted gfa for retail sales auxiliary to art museum use to be increased to 90 sq. m. from 80 sq. m.
- permit the total permitted gfa for auxiliary residential dwelling unit for employee housing to be increased to 107 sq. m. from 100 sq. m.

RESORT MUNICIPALITY OF WHISTLER

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Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013

Other Regulations

Delete the following section from the IAM1 zone: "6.8 For certainty, the art museum & retail sales uses permitted in this zone do not include the retail sale of original works of art, but this limitation does not preclude such occasional de-accessioning of original works of art as ordinarily occurs in the curation of art collections."





Planning + Policy Review

OCP Objective/Policy

Objective 3.1.1 – Establish and adhere to community-determined growth limits through this OCP.

Policy 3.1.1.2 – Contain Whistler's urban development within the boundary of the Whistler Urban Development Containment Area.

Policy 3.1.2.1 – Support flexibility, diversity, adaptability and efficiency in land use and development so the resort community can derive the greatest benefit from existing development.

Policy 3.2.1.3 – Minimize land disturbance & conversion of remaining undisturbed natural areas to development.

Policy 3.2.1.4 - Support land uses & development that contribute to a diversified tourism economy compatible with Whistler's resort community character & values.

Policy 3.2.1.5 - Respect & reinforce Whistler's single Town Centre concept.

Objective 3.2.2 – Protect human safety & property from natural hazards.

Policy 3.3.1.1 – Designate the general land uses that are supported by this OCP for each parcel of land within the municipal boundaries as shown on Schedule A Whistler Land Use Map.

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 www.whistler.ca



Planning + Policy Review

OCP Objective/Policy

Objective 4.9.1 – Reinforce Whistler Village as Whistler's Town Centre, functioning as the commercial and social hub of the resort community and focused on delivering a dynamic and authentic resort experience for residents and visitors.

Objective 7.8.1 - Support programs, partnerships & venues for furthering Whistler's arts, culture & heritage sectors.

Objective 7.8.2 - Increase opportunities for education, participation & enjoyment of arts, culture & heritage for residents & visitors.

Policy 7.8.2.1 - Support non-profit & private-sector efforts to increase arts, culture & heritage opportunities.

Objective 8.1.1 – Make energy conservation the core strategy & highest priority for achieving our GHG emission reduction goals.

Policy 8.1.1.1 – Apply the RMOW Green Building Policy to support our community-wide commitment to GHG reduction & energy performance.

RESORT MUNICIPALITY OF WHISTLER

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Planning + Policy Review

- Zoning & Parking Bylaw Parking & **Loading Regulations**
- Whistler Retail Study
- ADP
- W2020
- Budget Considerations



4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 Canada VON 1B4 www.whistler.ca



Community Engagement

- RA sign posted
- Public Hearing after 2nd reading
 - Notices in both newspapers
 - Notices mailed to owners of property within 100 m of subject lands



Recommendation

That Council considers giving first and second readings to Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013;

That Council authorizes the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 and to advertise for same in the local newspaper; and further,

4325 Blackcomb Way Whistler, British Columbia TF 1 866 932 5535 Canada VON 1B4 www.whistler.ca

TEL 604 932 5535 FAX 604 935 8109



Recommendation

That before consideration of adoption of Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013, a floodproofing report certified by a Qualified Professional Engineer shall be delivered to the General Manager of Infrastructure Services stating that the lands may be safely used for the use intended and the development will have no material effect on the existing diking system if the lands are constructed on and used in accordance with the conditions specified in the floodproofing report.

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WHISTLER

MINUTES

REGULAR MEETING OF MUNICIPAL COUNCIL TUESDAY, MAY 21, 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, B. MacPherson

General Manager of Infrastructure Services, J. Paul

General Manager of Resort Experience, J. Jansen

Fire Chief, R. Whitton

Director of Finance, K. Roggeman

Director of Planning, M. Kirkegaard

Acting Corporate Officer, L. Schimek

Manager of Park and Village Operations, D. Patterson

Senior Planner, M. Laidlaw

Planner, F. Savage

Capital Projects Supervisor, A. Chalk

Recording Secretary, A. Winkle

Mayor Wilhelm-Morden recognized Freeman Drew Meredith in the audience.

APPROVAL OF AGENDA

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

That Council approve of the Regular Council agenda of May 21, 2013.

CARRIED

ADOPTION OF MINUTES

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

That Council adopt Committee of the Whole and Regular Council minutes of May 7, 2013.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

There were no questions from the public.

PRESENTATIONS/DELEGATIONS

Staff Recognition

A presentation was given by Mike Furey, CAO, recognizing Bob MacPherson, General Manager of Corporate and Community Services, who is leaving the municipality to take on the role of CAO for the District of Tofino.

MAYOR'S REPORT

Mayor Wilhelm-Morden reported that an open house was held last week for the Recreation and Leisure Master Plan, which was attended by approximately 90 community members. She congratulated staff on the format of the Open House. Over the next week there will be updates to the website based on the open house feedback, and there will be other opportunities to provide additional feedback. Visit whistler.ca/recmasterplan for more information.

Mayor Wilhelm-Morden reported that on the same day, MP John Weston made a presentation at the library for the MP Book Awards for 2013 for School District 48. Three Whistler Students won those awards: First place – Jenna Tobias for her essay Drug Abuse. Second place – Lauren Wentzel for her essay Why Take Drugs. Third place – Tessa Furey for her essay Speak Up. Mayor Wilhelm-Morden congratulated the three students and their teacher for the 400 words essays.

Mayor Wilhelm-Morden was a witness last week at the Squamish Lil'wat Cultural Centre at the Spirits Within Carving Blessing ceremony. She encouraged everyone to visit to the four poles that were blessed.

Mayor Wilhelm-Morden congratulated Jordan Sturdy, Mayor of Pemberton, who was elected as MLA for the corridor at the provincial election.

Mayor Wilhelm-Morden reported that on May 8th a petition was filed and served a couple of days later by the Squamish Nation and Lil'wat Nation against the Province, Minister William Bennett, and the Resort Municipality of Whistler. She reported that the 11 page petition will be posted to the municipal website, and that the communications department can be contacted for email copies of the affidavits. She reported that the position of the First Nations is that the OCP cannot and does not apply to Crown Land within the boundaries of the Resort Municipality of Whistler because it limits the development of all or part of that Crown Land, which the First Nations may ultimately receive in accommodation and treaty negotiations from the Provincial Government. Mayor Wilhelm-Morden expressed that she is disappointment, particularly in light of the Legacy Land Agreement wherein the First Nations agreed to abide by Whistler's Official Community Plan. The municipality has had to incur the expense of retaining counsel. They will be filing a response to the petition, supporting affidavits, and will be bringing forward a budget amendment bylaw to authorize the payment of the legal fees that will be incurred.

> Mayor Wilhelm-Morden reported on the May long weekend in Whistler. She commented that there was hooliganism, mischief, vandalism, and for the first time in recent history there was public property damage. The RCMP had 35 members out on Saturday evening doing what they could, and bylaw enforcement officers. Bylaw infraction notices and tickets for public drunkenness were given out. She commented on the efforts in recent years of having a significant police presence during this weekend. She compared the events to those that used to take place in the resort on New Year's Eve before steps were taken to change the outcome during the holiday in the resort. Mayor Wilhelm-Morden reported that she has asked the CAO to create a Mayor's Task Force, staffed with various stakeholders including the RCMP, members of the restaurants and bars group, property managers and hotels group. The task force would look at what happened, what has happened historically, and what can be done in the future to stop this kind of behaviour. Mayor Wilhelm-Morden reported that Council will have to pass some resolutions in the near future to bring the task force into effect, and that it will probably take a couple of years to transition the May long weekend into what we want to see in this resort.

> Mayor Wilhelm-Morden reported that this week is Drinking Water Week, as recognized by the municipality, the Province, and the B.C. Water and Waste Association. The theme is "Get to Know Your H2O" and more information can be found at whistler.ca/water on how to use water more resourcefully, more efficiently, to help us save tax dollars, and to limit our impact on the environment.

Mayor Wilhelm-Morden reported that this week is also Local Government Awareness Week, as sponsored by UBCM. She expressed gratitude for the involvement of volunteers and committee members in Local Government.

Mayor Wilhelm-Morden reported that National Health and Fitness Day is on June 1. In celebration of National Health and Fitness Day, the Meadow Park Sports Centre is offering deals on summer passes and 50 per cent off drop-in rates for the entire day on June 1. If you purchase a 20-time, 30-time or 3 month pass on June 1, you will receive 10 per cent off. The 6-month pass will also be available at 20 per cent off. For more information, contact the Meadow Park Sports Centre.

Mayor Wilhelm-Morden reported that the second annual Whistler Excellence Awards will take place on June 21 at the Fairmont Chateau Whistler. The event is sponsored by the Whistler Chamber of Commerce in partnership with the Community Foundation of Whistler, the Whistler Arts Council and the Whistler Centre for Sustainability. Nominations are due by May 31.

INFORMATION REPORTS

Trails Program Update Report No. 13-049 File No. 8361.01 Moved by Councillor A. Janyk Seconded by Councillor R. McCarthy

That Council receive Information Report 13-049 on planning and maintenance of recreational trails.

Parking Update Report No. 13-052 File No. 4530, 4716 Moved by Councillor J. Grills Seconded by Councillor D. Jackson

That Council receive Information Report No. 13-052 regarding an update on parking.

CARRIED

ADMINISTRATIVE REPORTS

Development Permit No. 1290 – 1220 Alpha Lake Rd – Light Industrial Building Report No. 13-047 File No. DP1290 Moved by Councillor J. Crompton Seconded by Councillor A. Janyk

That Council approve Development Permit Application 1290 for a new light industrial development per the architectural plans (Project No. 1220, Sheets A1.0, A2.0, A3.0 and A4.0) prepared by ATA Architectural Design Ltd. dated April 29, 2013, and the landscape plan (Project No. 820, Sheet L-1) prepared by Tom Barratt Ltd. Landscape Associates, dated May 15, 2013, included in Appendix B, subject to the resolution of the following items all to the satisfaction of the General Manager of Resort Experience:

- Finalization of the architectural and landscape plans to address the following items:
 - a. incorporation of a small outdoor seating area within the landscaped area at the south end of the building; and
 - additional trees in the landscape area adjacent to the building's surface parking lot and confirm sufficient landscape areas in the secondary parking area; and further
- 2. Provision of a letter of credit, or other approved security, in the amount of 135 percent of the costs of the hard and soft landscape works as security for the construction and maintenance of these works;
- Declaration from owner or approved report prior to issuance of building permit satisfying aquifer protection guidelines;
- 4. Finalization of drainage and interception system plans for the surface parking and storage areas to municipal standards with the building permit submission; and further
- 5. Finalization of signage details prior to installation of any development signage; and further

That Council authorize the Mayor and the Corporate Officer to execute the required legal documents in conjunction with this permit.

CARRIED

4330- 4340 Blackcomb Way – IAM1 Zone Amendments for Audain Art Museum Report No. 13-048 File No. 8363, RZ1075, Bylaw 2031

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

That Council considers giving first and second readings to Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013;

That Council authorizes the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 and to advertise for same in the local newspaper; and further,

That before consideration of adoption of Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013, a floodproofing report certified by a

Qualified Professional Engineer shall be delivered to the General Manager of Infrastructure Services stating that the lands may be safely used for the use intended and the development will have no material effect on the existing diking system if the lands are constructed on and used in accordance with the conditions specified in the floodproofing report.

CARRIED

2013 UBCM Fuel Management Prescription Application and 2013 Operational

Fuel Treatment
Application –
Benchlands
Report No. 13-050
File No. 4815

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

That Council support the proposed 2013 UBCM Fuel Management Prescription application and the proposed 2013 UBCM Operational Fuel Treatment application for the Benchlands area, and further:

That Council authorize the Fire Chief to sign off on all work related to the proposals that will occur on municipal or Crown properties during the projects, provided they are approved by the UBCM.

CARRIED

2012 Financial Statements Report No. 13-046 File No. 4525 Moved by Councillor D. Jackson Seconded by Councillor J. Faulkner

That Council receive the 2012 audited financial statements of the Resort Municipality of Whistler as required by the *Community Charter*, and further,

That Council approve the 2012 audited financial statements of the Resort Municipality of Whistler as required by Canadian audit standards.

CARRIED

Five-Year Financial Plan 2013-2017 Amendment Report No. 13-051 File No. 4530 Moved by Councillor A. Janyk Seconded by Councillor R. McCarthy

That Council consider giving first, second and third readings to the Five-Year Financial Plan 2013-2017 Amendment Bylaw No. 2032, 2013.

CARRIED

BYLAWS FOR FIRST AND SECOND READING

Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 Moved by Councillor J. Faulkner Seconded by Councillor D. Jackson

That Zoning Amendment Bylaw (IAM1 Zone Amendments) No. 2031, 2013 receive first and second readings.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Five-Year Financial Plan 2013-2017 Amendment Bylaw No. 2032, 2013

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

That Five-Year Financial Plan 2013-2017 Amendment Bylaw No. 2032, 2013 receive first, second and third readings.

CARRIED

BYLAWS FOR ADOPTION

Zoning Amendment

Moved by Councillor A. Janyk Bylaw (1040 Legacy Way Seconded by Councillor J. Crompton.

- The Falls) No. 2030, 2013

That Zoning Amendment Bylaw (1040 Legacy Way - The Falls) No. 2030, 2013 be adopted.

CARRIED

OTHER BUSINESS

There were no items of Other Business.

CORRESPONDENCE

Park Garbage and

Fires

File No. 3009

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

That correspondence from Brian Buchholz, dated May 14, 2013, regarding garbage and fires at the Emerald Forest/Gravel Pit be received and referred

to staff.

CARRIED

Community Enrichment Program - Centre for

Sustainability File No. 3004 Moved by Councillor A. Janyk Seconded by Councillor R. McCarthy

That correspondence from Cheeying Ho, Executive Director for the Whistler Centre for Sustainability, requesting permission to revise the budget allocations for the Community Enrichment Program (CEP) grant awarded to the Centre for the creation of an interactive walking tour be received and the request be approved.

CARRIED

Tendering Practices for Municipal Roadwork

Contracts File No. 632.2 Moved by Councillor D. Jackson Seconded by Councillor J. Crompton

That correspondence from Jack W. Davidson, President of the B.C. Road Builders & Heavy Construction Association, dated May 14, 2013, regarding tendering practices for municipal roadwork contracts be received.

CARRIED

Duty to Accommodate in Emergency Planning File No. 855

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

That correspondence from Karen Martin, Emergency Preparedness Project Coordinator for the BC Coalition of People with Disabilities (BCCPD), dated May 6, 2013, regarding resources for local governments understanding their legal "duty to accommodate" people with disabilities in emergency planning and response be received and referred to the Emergency Planning

Coordinator.

CARRIED

Resource Industries File No. 3009

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

That correspondence from Gerry Furney, Mayor of the Town of Port McNeill, dated April 26, 2013, regarding support for resource industries such as forestry, mining, agriculture, fishing, aquaculture, and energy production be received.

CARRIED

FCM Vice-President File No. 2072

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

That correspondence from Susan Fennell, Mayor of Brampton, Ontario, dated May 10, 2013, regarding her intentions to run to be elected FCM's Third Vice-President be received.

CARRIED

Access Awareness Day File No. 3009.1

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

That correspondence from Lorraine Copas, Executive Director of the Social Planning and Research Council of British Columbia (SPARC BC), dated May 3, 2013, requesting the proclamation of June 1, 2013 as Access Awareness Day, and opportunities to promote the advances Whistler has made in working to become more accessible be received and proclaimed.

CARRIED

ADJOURNMENT

Moved by Councillor J. Crompton

That Council adjourn the May 21, 2013 Council meeting at 7:53 p.m.

CARRIED

MAYOR: N. Wilhelm-Morden

ACTING CORPORATE OFFICER: L. Schimek



Blackcomb Way, Whistler, B.C.



Expansion Plans – May 2013

SITE PLAN



EXPANSION DETAILS

October 2012 Announcement 2,500 sq. m. 27,000 sq. ft. Approved by Council 3,635 sq. m. 39,260 sq. ft.

Proposed expanded size: 5,131 sq. m. 55,230 sq. ft.

PROPOSED SPACE INCLUDES:

Permanent Exhibition 1,290 sq. m. 13,885 sq. ft.

Temporary Exhibitions 540 sq. m. 5,812 sq. ft.

Administrative 577 sq. m. 6,210 sq. ft.

Public 590 sq. m. 6,350 sq. ft.

CONSTRUCTION TIMETABLE:

Anticipated Construction Start (civil works) July 2013

Completion Summer 2015

EXPANSION – WHY?

Michael Audain, Chair of Audain Art Museum:

- > Realized museum would outgrow smaller space within a decade.
- ➤ Needed more space to accommodate larger temporary exhibitions from National Gallery of Canada and other international museums.
- > Concluded a future addition would be too expensive.
- Preferred to redesign now from outset.
- Reworked design still discreet and embedded in forest.

VIEW FROM BLACKCOMB WAY



VIEW FROM NORTH SIDE MEADOW



B.C.'s largest purpose-built art museum featuring state-of-the-art environmental and security standards.

*

Important art collection on permanent display.

*

Temporary exhibition opportunities from National Gallery of Canada and other international museums.

*

Tourism attraction.

*

Public green space and cultural connection to Whistler Town Centre.



