

# WHISTLER

## AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL  
TUESDAY, SEPTEMBER 4, 2012 STARTING AT 6:00 PM**

**In the Franz Wilhelmssen 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 "Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012" and "Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012" (the "proposed Bylaws").

Everyone present shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws. 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 Bylaws.

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 Bylaws.

As stated in the Notice of Public Hearing,

Official Community Plan  
Amendment Bylaw (BC  
Transit Site) No. 2013,  
2012

**PURPOSE OF "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (BC Transit Site) NO. 2013, 2012":**

In general terms, the purpose of the proposed Bylaw is to amend policy supporting light industrial use and identify the Lands as a development area, a service commercial and industrial area, and a sewer and water service area.

Zoning Amendment  
Bylaw (BC Transit Site)  
No. 2012, 2012

**PURPOSE OF "ZONING AMENDMENT BYLAW (BC Transit Site) NO. 2012, 2012":**

In general terms, the purpose of the proposed Bylaw is to rezone the Lands from RS-E1 (Residential Single Estate One) to CTI2 (Community and Transportation Infrastructure Two) to provide for uses related to the parking and maintenance of passenger transportation vehicles.

Explanation

Explanation by municipal staff concerning the proposed Bylaws.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaws.

Submissions

Submissions by any persons concerning the proposed Bylaws.

**ADJOURNMENT**



**THE RESORT MUNICIPALITY OF WHISTLER**

4325 Blackcomb Way  
Whistler, BC Canada V0N 1B4  
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## NOTICE OF PUBLIC HEARING

### **OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (BC TRANSIT SITE) NO. 2013, 2012 ZONING AMENDMENT BYLAW (BC TRANSIT SITE) NO. 2012, 2012**

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 “Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012” and “Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012” (the “proposed Bylaws”) in the Franz Wilhelmson Theatre at Maurice Young Millennium Place, 4335 Blackcomb Way, Whistler, British Columbia commencing at 6:00 p.m., September 4, 2012.

**AT THE HEARING** the public will be allowed to make representations to Council or present written submissions respecting matters contained in the proposed Bylaws and will be afforded a reasonable opportunity to be heard.

**SUBJECT LANDS:** The lands, which are the subject of the proposed Bylaws, are located at 8011 Highway 99 (“the Lands”). More specifically these lands are described as that portion of:

The North ½ of District Lot 1758, Group 1, NWD, except firstly: Part in Reference Plan 1022, secondly: Part in Plan LMP3329, thirdly: Part in Highway Plan 90

described in Reference Plan BCP42773 as shown outlined in bold on the map below.

**PURPOSE OF “OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (BC TRANSIT SITE) NO. 2013, 2012”:** In general terms, the purpose of the proposed Bylaw is to amend policy supporting light industrial use and identify the Lands as a development area, a service commercial and industrial area, and a sewer and water service area.

**PURPOSE OF “ZONING AMENDMENT BYLAW (BC Transit Site) NO. 2012, 2012”:** In general terms, the purpose of the proposed Bylaw is to rezone the Lands from RS-E1 (Residential Single Estate One) to CTI2 (Community and Transportation Infrastructure Two) to provide for uses related to the parking and maintenance of passenger transportation vehicles.

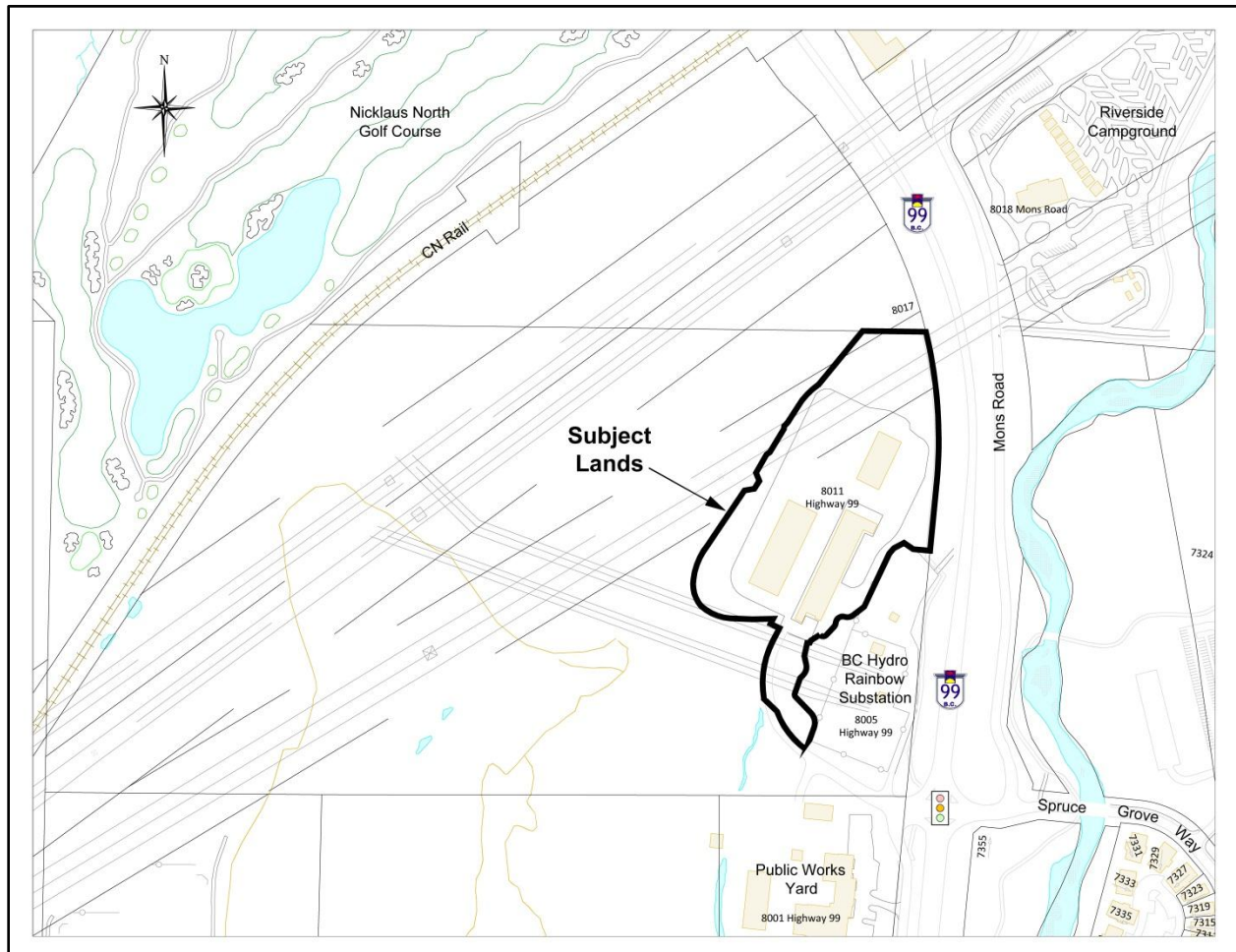
**AND FURTHER TAKE NOTICE** that a copy of the proposed Bylaws and related documents which have been or will be considered by the Council of the Resort Municipality of Whistler may be inspected at the Reception Desk of Municipal Hall of the Resort Municipality of Whistler located at 4325 Blackcomb Way, Whistler, British Columbia, between the hours of 8:00 a.m. and 4:30 p.m., from Monday to Friday only, from August 23, 2012 to September 4, 2012 (inclusive) (statutory holidays excluded).

Lonny Miller  
Corporate Officer

The following Public Hearings will be held on September 4, 2012 starting at 6:00 p.m. in the following order:

- 1) Zoning Amendment Bylaw (Function Junction – Indoor Recreation Uses) No. 2003, 2012;
- 2) Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 and Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012;
- 3) Zoning Amendment Bylaw (Restaurant Uses) No. 2014, 2012.

Subject Lands - Bylaw 2012, 2012 and Bylaw 2013, 2012



## RESORT MUNICIPALITY OF WHISTLER

### OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (BC TRANSIT SITE) NO. 2013, 2012

#### A BYLAW TO AMEND THE RESORT MUNICIPALITY OF WHISTLER OFFICIAL COMMUNITY PLAN

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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 "Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012".

2. The lands which are the subject of this Bylaw are that portion of:

The North ½ of District Lot 1758, Group 1, NWD, except firstly: Part in Reference Plan 1022, secondly: Part in Plan LMP3329, thirdly: Part in Highway Plan 90

described in Reference Plan BCP42773 as shown outlined in heavy black line on the sketch plan attached as Schedule 1 to this bylaw.

3. The Resort Municipality of Whistler Official Community Plan (the "OCP") is amended as follows:

- (a) Section 4.4.1 is amended by deleting the section in its entirety and replacing it with:

"The Municipality requires light industrial sites to support its local economy. Uses for a site or sites are to be suitable and appropriate to the resort. Industrial sites that are to be designated should:

- Be in close proximity to Highway 99
- Have little or no adverse visual impacts to adjacent properties or the Highway
- Have been previously disturbed with similar uses
- Be for light industry purposes and do not create adverse circumstance with adjacent and non-industry properties such as noise, obnoxious odours, glare, vibration, dust, or similar nuisance."

- (b) Section 4.4.2 is amended by deleting the section in its entirety and renumbering subsequent sections.

- (c) Section 4.4.3 is amended by deleting the section with the exception of the last sentence which reads:

"Residential use is to remain as an auxiliary use to provide for security and caretaker purposes."

- (d) Schedules B-1, D-1 and H-1 are amended by designating the lands indicated on Schedule 1 as "Development Areas", "Existing Service Commercial and Industrial", and "Sewer and Water" respectively.

**OCP Amendment Bylaw (BC Transit Site) No. 2013, 2012**

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

Given first reading this 21<sup>st</sup> day of August, 2012 as amended.

Given second reading this 21<sup>st</sup> day of August, 2012 as amended.

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

Given third reading this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Approved by the Ministry of Community, Sport and Cultural Development this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Adopted by the Council this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

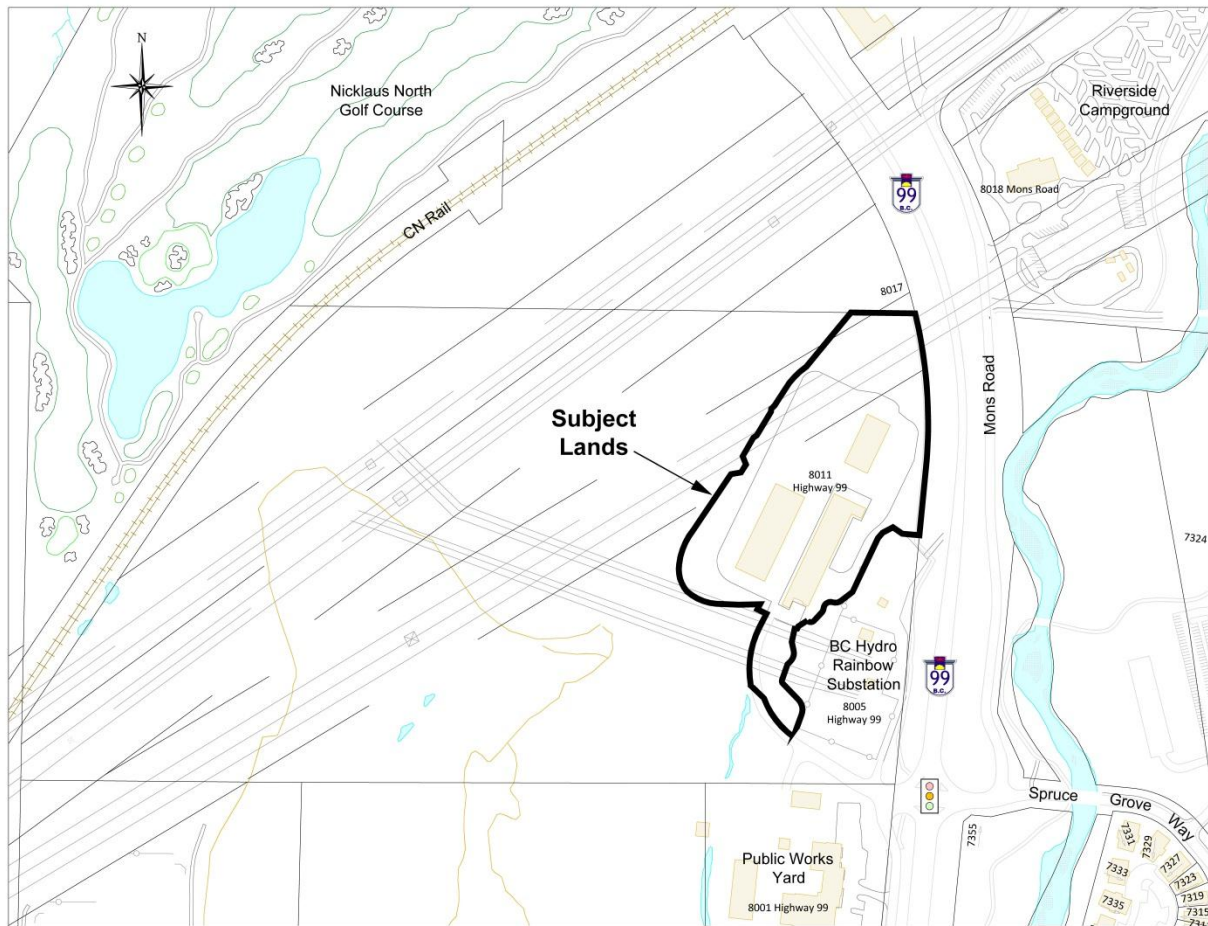
\_\_\_\_\_  
Nancy Wilhelm-Morden  
Mayor

\_\_\_\_\_  
Lonny Miller  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of "Official Community Plan  
Amendment Bylaw (BC Transit Site) No.  
2013, 2012"

\_\_\_\_\_  
Lonny Miller,  
Corporate Officer

**SCHEDULE 1**



**Subject Lands**

**“Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012”**

**RESORT MUNICIPALITY OF WHISTLER**

**ZONING AMENDMENT BYLAW (BC TRANSIT SITE) NO. 2012, 2012**

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

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**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 (BC Transit Site) No. 2012, 2012".

2. The lands which are the subject of this Bylaw are that portion of:

The North ½ of District Lot 1758, Group 1, NWD, except firstly: Part in Reference Plan 1022, secondly: Part in Plan LMP3329, thirdly: Part in Highway Plan 90

described in Reference Plan BCP42773 as shown outlined in heavy black line on the sketch plan attached as Schedule 1 to this bylaw.

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

(a) Adding to Section 7.1 under the heading "Industrial Zones" in sequence after "ILR" the following zone name in Column I:

"CTI2"

and the following zone name in Column II:

"Community and Transportation Infrastructure Two (Bylaw 2012)"

(b) Amending Schedule "A" Zoning Map by changing to CTI2 the zoning designation of the lands outlined in heavy black line on Schedule 1.

(c) Adding to Section 9 in sequence following the regulations for the ILR Zone the Zoning District Schedule "CTI2 (Community and Transportation Infrastructure Two)" attached as Schedule 2 to this bylaw.

(d) In Schedule "A" – Legend of Zones, adding under the heading "Industrial Zones" the following:

Community and Transportation Infrastructure Two (CTI2)

Given first and second reading 21<sup>st</sup> day of August, 2012.

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

Given third reading this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Approved by the Minister of Transportation and Infrastructure this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012**

Adopted by the Council this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Nancy Wilhelm-Morden  
Mayor

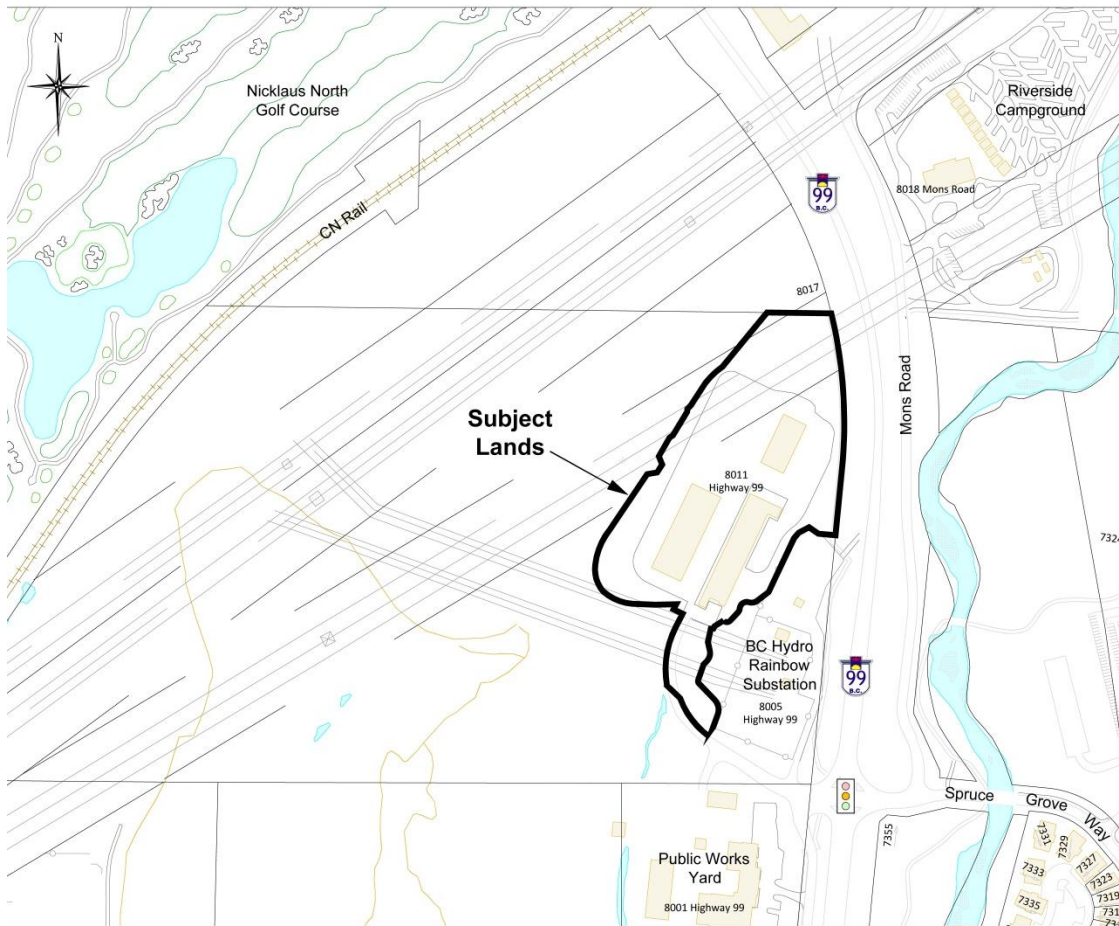
\_\_\_\_\_  
Lonny Miller  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of "Zoning Amendment Bylaw (BC  
Transit Site) No. 2012, 2012"

\_\_\_\_\_  
Lonny Miller,  
Corporate Officer



**SCHEDULE 1**



**Subject Lands**

**“Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012”**

## SCHEDULE 2

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### **CTI2 (Community and Transportation Infrastructure Two)**

#### **Intent**

The intent of this zone is to provide industrial uses supporting community and transportation infrastructure.

15 In the CTI2 Zone:

#### **Permitted Uses**

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

- a) auxiliary buildings and auxiliary uses
- b) passenger transportation vehicle parking, maintenance, repair, fueling and administration facilities not including taxi facilities

#### **Density**

15.3 The maximum permitted gross floor area of buildings and structures in the CTI2 zone is 2,477 square meters, of which a maximum of 748 square metres may be for auxiliary office use.

#### **Height**

15.4 The maximum permitted height of a building is 12 metres.

#### **Site Area**

15.5 Land in the CTI2 zone may not be subdivided.

#### **Site Coverage**

15.6 In addition to the permitted gross floor area of buildings and structures, a maximum of 2,185 square metres of the land in the CTI2 zone may be covered with open-sided bus parking structures.

#### **Setbacks**

15.7 Buildings, structures and bus repair and parking areas must be sited at least 20 metres from the right of way of Highway 99

#### **Off Street Parking and Loading**

15.8 No regulations.

#### **Other Regulations**

15.9 Setback areas described in Section 15.7 shall be landscaped to visually screen the buildings, structures, repair and parking areas from Highway 99.



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** August 21, 2012

**REPORT:** 12-086

**FROM:** Resort Experience

**FILE:** RZ 1063, Bylaws

**SUBJECT:** 8011 HIGHWAY 99 – BC TRANSIT FACILITY

2012 and 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 and second readings to Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012;

**That** Council considers giving first reading to Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012;

**That** Council has examined Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 in accordance with Section 879 of the *Local Government Act* and advises the following:

1. The General Manager of Resort Experience has considered the limited scope of the amendment to the Official Community Plan and advises that it is not appropriate to consult with the entities listed in Section 879 of the *Local Government Act* other than holding a public hearing.

**That** Council has examined Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 in accordance with Section 882(3)(a) of the *Local Government Act* and advises the following:

1. The General Manager of Resort Experience has considered the proposed Official Community Plan amendment in conjunction with the Resort Municipality of Whistler's Financial Plan; and
2. The General Manager of Resort Experience has considered the proposed Official Community Plan amendment in conjunction with the Squamish Lillooet Regional District Solid Waste Management Plan.

**That** Council considers giving second reading to Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012;

**That** Council authorizes the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 and a public hearing for Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 and to advertise for same in the local newspaper;

**That** Council directs staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 that Section 219 Floodproofing Covenant registered as BB1117955 be amended for the proposed commercial uses; and further

**That** Council authorizes the Mayor and Corporate Officer to sign the aforementioned legal document.

## REFERENCES

**Location:** 8011 Highway 99  
**Legal Description:** North ½ District Lot 1758, Group 1, New Westminster District, Except Firstly: part in Reference Plan 1022, Secondly: Part in Plan LMP3329, Thirdly: Part in Highway Plan 90  
**Owners:** BC Hydro and Power Authority  
**Current Zoning:** RS-E1 (Residential Single Estate One)  
**Date of Application:** August 9, 2012

**Appendices:** “A” Location Map  
“B” Site Plan

## NATURE OF REQUEST

BC Transit has applied to amend Zoning and Parking Bylaw 303 to rezone the BC Transit Facility, located at 8011 Highway 99, to permit passenger transportation vehicle parking, maintenance, repair, fueling and administration facilities, auxiliary buildings and auxiliary uses.

## PURPOSE OF REPORT

This report describes the proposed rezoning for the BC Transit Facility and seeks Council's consideration of first and second readings for Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 and Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012.

## DISCUSSION

At the regular Council meeting of July 17, 2012, Council directed staff to bring forward a rezoning application for the BC Transit Facility to utilize available capacity at the facility for commercial passenger carriers to support operation of the facility.

The BC Transit Facility is located at 8011 Highway 99 (Appendix A), on lands that BC Transit leases from BC Hydro. The present use of the property is for the operation and maintenance of Whistler Transit's fleet of diesel and hydrogen powered buses. Current facilities on-site include a bus wash, diesel fueling station, hydrogen fueling station, operations and maintenance facility, and covered and uncovered bus parking. Built in 2010, the facilities were built to support an operating fleet of 50 transit buses.

Currently operating with a fleet of 23 buses, the existing facility has underutilized capacity. BC Transit has prepared a business case to pursue commercial opportunities to maximize the utilization of the existing assets to generate ancillary revenue to be shared with the municipality to support funding transit.

The existing zoning of the facility is RS-E1 (Residential Single Estate One) and use of the land by a user other than the Crown must be in conformance with the zoning bylaw. As a result, BC Transit has applied to rezone the BC Transit Facility lands for the continued operation and maintenance of Whistler Transit's fleet in addition to the use of the on-site facilities including the bus wash, diesel fueling station and bus parking to chartered and coach line bus operators at a fee. Facilities and services such as these do not currently exist in Whistler for chartered and coach line bus operators.

### **Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012**

The zoning amendment bylaw proposes to change the zoning designation of the BC Transit Facility lands from RS-E1 (Residential Single Estate One) to CTI2 (Community and Transportation Infrastructure Two), a new site specific zone designation.

The permitted uses of the CTI2 zone would be:

- a) auxiliary buildings and auxiliary uses;
- b) passenger transportation vehicle parking, maintenance, repair, fueling and administration facilities not including taxi facilities.

The density, building height and site coverage regulations accommodate the existing development on the site. The 20 metre setback requirement from the right of way of Highway 99 and the requirement for this setback area to be landscaped is consistent with Official Community Plan policies.

### **Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012**

The OCP amendment bylaw identifies the lands as a development area, a service commercial and industrial area, and a sewer and water service area.

### **ADP Review**

The Advisory Design Panel did not review the rezoning submission as no additional development is proposed as this time.

### **Transit Management Advisory Committee**

The Whistler Transit Facility Commercial Services Business Case was presented to the Transit Management Advisory Committee (TMAC) at their meeting of March 21, 2012, with subsequent updates provided at the June 7, 2012 and July 4, 2012 meetings. BCT has provided additional information and staff have discussed concerns raised by TMAC with senior executives of BCT.

Council has previously received all of the minutes of the three TMAC meetings, and at the regular meeting of July 17, 2012 Council directed staff to bring forward a rezoning application for the BC Transit Facility to accommodate the proposed commercial uses.

## **WHISTLER 2020 ANALYSIS**

<b>W2020 Strategy</b>	<b>TOWARD Descriptions of success that resolution moves us toward</b>	<b>Comments</b>
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term use.	The BC Transit Facility has underutilized capacity and has the facilities and services in place to meet the needs of other chartered and coach line bus operators.
Transportation	Whistler policy, planning and development prioritizes preferred methods of transportation in the following order: 1. Pedestrian, bicycle and other non-motorized means, 2. Transit and movement of goods, 3. Private auto....	The rezoning supports preferred method of transportation #2.

Partnership	Partners work together to achieve mutual benefit.	This rezoning will enable surplus capacity at the BC Transit Facility to be used to generate revenue that will be applied to offset Transit costs. Refer to Budget Considerations section of this report for details.
Finance	Resort community partners work together to identify shared spending priorities, share resources, and leverage funds and financing opportunities.	
	Whistler has a healthy economy that generates revenue to contribute to the resort's funding base.	
Economic	Effective partnerships with government and tourism organizations support economic health.	
	The Whistler community shares resources and works together to compete in the destination resort market.	
<b>W2020 Strategy</b>	<b>AWAY FROM Descriptions of success that resolution moves away from</b>	<b>Mitigation Strategies and Comments</b>
Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting views and evoking a dynamic sense of place.	No additional development is proposed at this time, however, as part of this rezoning, BC Transit will work with the municipality to improve the lighting at the facility to reduce light pollution and better protect the night sky as well as improve the vegetative screening of the site from Highway 99 and the Highway 99/Nesters Road intersection.

## OTHER POLICY CONSIDERATIONS

### Official Community Plan

Whistler's OCP outlines specific items for review with respect to rezoning applications. A brief summary follows:

**Table 1: OCP Criteria for Evaluating Proposals for Zoning Amendments**

OCP Criteria	Comments
Capable of being served by Municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Environmental Impact Assessment	In 2008, an Environmental Site Assessment was performed for the proposed transit facility.
Commercial Development – proposed developments evaluated in accordance with Section 4.13. The municipality will periodically review the amount and pattern of commercial development.	Growth management in Policy 4.13 is associated with bed units only; however, this is the closest test. The Policy states: Increases in bed unit capacity will only be considered if the development provides clear and substantial benefits to the community and resort, is supported by the community in the opinion of Council, will not cause unacceptable impacts to community, and meets all applicable criteria set out in OCP. Benefits and impacts are discussed in the Whistler 2020 evaluation, the Official Community Plan section and the Budget Considerations sections of this report.

Traffic volumes and patterns on Highway 99 and the local road system.	The existing access road configuration to the Transit Facility was designed and built to support traffic volumes of 50 buses.
Overall patterns of development of the community and resort	Consistent with the OCP policy of primary locations for commercial development to continue to be in the Whistler Village, Upper Village and Whistler Creek precincts.
Municipal Finance	The rezoning will enable ongoing revenue streams for the municipality. Refer to the Budget Considerations section of this report for more details.
Views and Scenery	The zoning amendment bylaw specifies landscaping in an effort to visually screen the buildings, structures, parking and storage areas from Highway 99. As part of this rezoning, BC Transit will work with the municipality to improve the vegetative screening of the site from Highway 99 and the Highway 99/Nesters Road intersection.
Existing Community and Recreation Facilities	No impact. It should be recognized that at the time the BC Transit Facility was developed, BC Transit built a valley trail on their property parallel to Highway 99 at the request of the municipality.
Employee Housing	Not applicable, as no additional development is proposed with this rezoning.
Heritage Resources	n/a. Existing development with no further development proposed.
The project must exhibit high standards of quality and appearance, design, landscaping and environmental sensitivity.	No additional development is proposed at this time, however, as part of this rezoning, BC Transit will work with the municipality to improve the lighting at the facility to reduce light pollution and better protect the night sky as well as improve the vegetative screening of the site from Highway 99 and the Highway 99/Nesters Road intersection.
The project will not negatively affect surrounding areas by generating excessive noise, light or odours.	There is no anticipated impact from noise or odour. As part of this rezoning, BC Transit will work with the municipality to improve the lighting at the facility to reduce light pollution and better protect the night sky.
No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	No impact.

### **OCP Development Permit Area Guidelines**

The lands are currently within Development Permit Area #8 of Whistler's OCP and subject to development permit guidelines for form and character of development, protection of the natural environment and protection of development from hazardous conditions.

### **Green Building Policy**

The Municipality's most significant opportunity to require specific commitments in respect of green building features is through its discretionary authority to enact and amend zoning bylaws. A green building commitment that meets the Municipality's Green Building Policy is not recommended as a condition of adoption of the zoning amendment bylaw as no additional development is proposed.

### **Works and Services Charges Bylaws**

No works and services charges are payable as no additional development is proposed.

## **BUDGET CONSIDERATIONS**

This rezoning will enable surplus capacity at the site to be used to generate revenue that will be applied to offset Transit costs. The contracts already secured by BC Transit, will generate \$17,000 in the first year directly to the municipality, with that increasing to approximately \$20,000 in subsequent years. This money is put back into Transit service, and the funding formula for Transit costs (47 % BC Transit and 53% RMOW) works to the municipality's advantage. For example, the municipality purchases approximately \$40,000 worth of annual Transit service with the \$20,000 of annual revenue.

BC Transit's Commercial Services Business Case presents a number of different possible future revenue opportunities. The high-side net revenue projections range beyond \$200,000 per year, if all business opportunities identified at this site are pursued. There are, of course, uncertainties going forward. One or more of the identified opportunities may not evolve as originally foreseen. Nonetheless, the annual revenue comes at no cost (aside from the processing costs of this application, see below) and no risk to the Resort Municipality of Whistler.

All costs associated with staff time for the rezoning application, public hearing, notices, and legal fees will be paid 47% by the applicant, with 53% of the costs being paid by the Municipality. This cost-sharing ratio is typical for all Transit costs.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

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

No formal community engagement has been undertaken to date with respect to the application.

Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 and Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 will each be subject to a public hearing adhering to statutory public notice requirements.

## **SUMMARY**

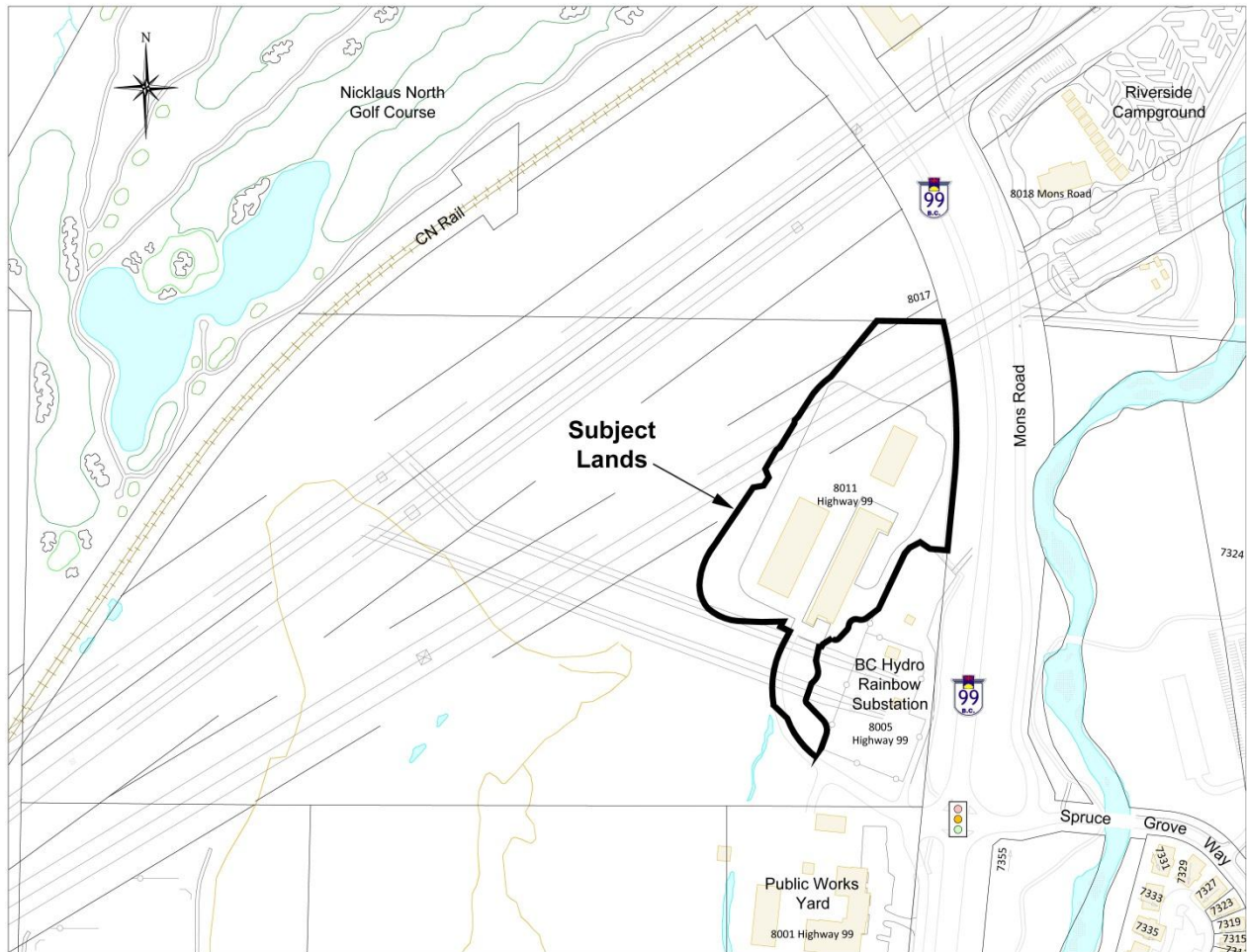
This report presents Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 and Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 for Council consideration of first and second readings, as directed by Council at the regular meeting of July 17<sup>th</sup>, 2012.

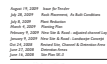
Respectfully submitted,

Melissa Laidlaw  
PLANNER  
and  
Joe Paul  
GENERAL MANAGER, INFRASTRUCTURE SERVICES

for  
Jan Jansen  
GENERAL MANAGER, RESORT EXPERIENCE













**TOM BARRATT LTD.**  
*Landscape Architects*

## Whistler Transit Facility

## Planting Plan

Year	July 1, 2008	Days	1,000
Height in ft	73.3	in ft	
Volume in ft <sup>3</sup>		in ft <sup>3</sup>	

ANATOMICAL SYSTEM	CONTENTS	SYSTEM	COUNT	FILE
<b>SKIN</b>				
Epidermis	Epidermis (Skin)	100	1	100-1
Dermis	Dermis (Skin)	100	2	100-2
Hypodermis	Hypodermis (Skin)	100	3	100-3
Accessory structures	Accessory structures (Skin)	100	4	100-4
<b>MUSCLES</b>				
General anatomy	General anatomy (Muscles)	100	1	100-1
Specific muscles	Specific muscles (Muscles)	100	2	100-2
Motor units	Motor units (Muscles)	100	3	100-3
Neuromuscular junction	Neuromuscular junction (Muscles)	100	4	100-4
Electromyography	Electromyography (Muscles)	100	5	100-5
<b>NERVOUS SYSTEM</b>				
General anatomy	General anatomy (Nervous System)	100	1	100-1
Central nervous system	Central nervous system (Nervous System)	100	2	100-2
Peripheral nervous system	Peripheral nervous system (Nervous System)	100	3	100-3
Neurons	Neurons (Nervous System)	100	4	100-4
Synapses	Synapses (Nervous System)	100	5	100-5
Electrophysiology	Electrophysiology (Nervous System)	100	6	100-6
Neurotransmitters	Neurotransmitters (Nervous System)	100	7	100-7
Neurodegeneration	Neurodegeneration (Nervous System)	100	8	100-8
<b>CELLS</b>				
General anatomy	General anatomy (Cells)	100	1	100-1
Cellular processes	Cellular processes (Cells)	100	2	100-2
Cellular signaling	Cellular signaling (Cells)	100	3	100-3
Cellular metabolism	Cellular metabolism (Cells)	100	4	100-4
Cellular death	Cellular death (Cells)	100	5	100-5
<b>IMMUNE SYSTEM</b>				
General anatomy	General anatomy (Immune System)	100	1	100-1
Immune cells	Immune cells (Immune System)	100	2	100-2
Immune response	Immune response (Immune System)	100	3	100-3
Immune system disorders	Immune system disorders (Immune System)	100	4	100-4
<b>REPRODUCTIVE SYSTEM</b>				
General anatomy	General anatomy (Reproductive System)	100	1	100-1
Reproductive processes	Reproductive processes (Reproductive System)	100	2	100-2
Reproductive system disorders	Reproductive system disorders (Reproductive System)	100	3	100-3
<b>ENDOCRINE SYSTEM</b>				
General anatomy	General anatomy (Endocrine System)	100	1	100-1
Endocrine glands	Endocrine glands (Endocrine System)	100	2	100-2
Endocrine system disorders	Endocrine system disorders (Endocrine System)	100	3	100-3

-  Open Water Areas  
 Marsh Planting Areas  
 Rehabilitation Planting Areas  
 Hydroseed Areas  
 Asphalt Paving Area  
 Gravel

**Soil amendment for hydrosedding:**

Apply coarse dolomite lime at 500 / 1000 yds. flaked into the 1" - 2" to serve to raise the pH above 6.5 and also as a source of calcium and magnesium.

Applied with the hydrosedding, 13-24-6 fertilizer at 600/1000 yds.

Four weeks after hydrosedding, start maintenance using slow release 23-3-21 fertilizer at 600/1000 yds.

Fertilizer & lime source: Noid Rudbeck Fertilizer, Ltd. 604-946-8338

**Soil amendment for planting beds:**

Apply coarse dolomite lime at 750 / 1000 yds. flaked into the 1" - 2" to serve to raise the pH above 6.5 and also as a source of calcium and magnesium.

Topdress 4" - 6" depth of compost into the top 4" - 6" of soil to raise the organic matter and fertility rates.

Fertilize with slow release 20-8-4 at 600/1000 yds. Repeat after 3 months.

Compost source: KPOW Farm Station: "The Answer", Aldergrove - 604-856-6221

**Soil Depth: 300mm**

### **BYLAWS FOR THIRD READING**

Zoning Amendment  
Bylaw (2188 Nordic  
Drive) 1994, 2012

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

**That** Zoning Amendment Bylaw (2188 Nordic Drive) 1994, 2012 receive third reading.

CARRIED

### **BYLAWS FOR ADOPTION**

Housing Agreement  
Bylaw (1060 Legacy  
Way) No. 2004, 2012

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

**That** Housing Agreement Bylaw (1060 Legacy Way) No. 2004, 2012 be adopted.

CARRIED

### **OTHER BUSINESS**

Council Representative  
on Tourism Whistler  
Board

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

**That** Councillor R. McCarthy be appointed as the Council representative to the Tourism Whistler Board of Directors.

CARRIED

Zoning Amendment  
Bylaw for Restaurants

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

**That** staff be directed to bring forward a zoning amendment bylaw to define "restaurant" to exclude drive-in and drive-through restaurants.

CARRIED

BC Transit Facility

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

**That** staff be directed to bring forward a rezoning application for the BC Transit facility.

CARRIED

River of Golden Dreams

Councillor J. Faulkner expressed concern for the impact on the River of Golden Dreams from the amount of traffic and the number of inebriated passengers. He expressed concerns for garbage accumulating in the river and concerns for safety. He encouraged enforcement, education and responsibility.

Adopt A Highway  
Program

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

**That** staff be directed to investigate an "Adopt a Highway" program.

CARRIED



Covenant Modification  
or Land Use Contract  
Amendment for  
Basement Floor Area  
Exclusion  
Report No. 12-085  
File No. 7007.1,  
7645.01, Bylaw 2008

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

**That** Council considers giving first, second, and third readings to Resort Municipality of Whistler Land Use Procedures and Fees Amendment Bylaw No. 2008, 2012;

**That** Council endorses the proposed process for a covenant modification to exclude basement floor area from a Gross Floor Area calculation; and further

**That** Council receives as information the existing process for a land use contract amendment.

CARRIED

Zoning Amendment  
Bylaw (Restaurant  
Uses) No. 2014, 2012  
Report No. 12-088  
File No. RZ 1062,  
Bylaw 2014

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

**That** Council considers giving first and second readings to Zoning Amendment Bylaw (Restaurant Uses) No. 2014, 2012; and further,

**That** Council authorizes the Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Restaurant Uses) No. 2014, 2012.

CARRIED

8011 Highway 99 – BC  
Transit Facility  
Report No. 12-086  
File No. RZ 1063,  
Bylaws 2012 and 2013

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

**That** Council considers giving first and second readings to Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012;

**That** Council considers giving first reading to Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 as amended to remove section 3 and the subsequent sections renumbered accordingly;

**That** Council has examined Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 in accordance with Section 879 of the *Local Government Act* and advises the following:

1. The General Manager of Resort Experience has considered the limited scope of the amendment to the Official Community Plan and advises that it is not appropriate to consult with the entities listed in Section 879 of the *Local Government Act* other than holding a public hearing.

**That** Council has examined Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 in accordance with Section 882(3)(a) of the *Local Government Act* and advises the following:

1. The General Manager of Resort Experience has considered the proposed Official Community Plan amendment in conjunction with the Resort Municipality of Whistler's Financial Plan; and

2. The General Manager of Resort Experience has considered the proposed Official Community Plan amendment in conjunction with the Squamish

**Lillooet Regional District Solid Waste Management Plan.**

**That Council considers giving second reading to Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 as amended;**

**That Council authorizes the Mayor and Corporate Officer to schedule a public hearing for Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 and a public hearing for Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 and to advertise for same in the local newspaper;**

**That Council directs staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 that Section 219 Floodproofing Covenant registered as BB1117955 be amended for the proposed commercial uses; and further**

**That Council authorizes the Mayor and Corporate Officer to sign the aforementioned legal document.**

**CARRIED**

8017 Highway 99  
Rezoning Application  
Report No. 12-091  
File No. RA466, Bylaws  
1859 and 1860

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

**That** Administrative Report No. 12-091, "8017 Highway 99 Rezoning Application" be received.

**That** the Zoning Amendment Bylaw (Community and Transportation Infrastructure One) No. 1860, 2008 and Official Community Plan Amendment Bylaw (Mons Industrial Land) No. 1859, 2008 be referred to staff for further clarification about the allowable uses, the tree buffer, and developable Gross Floor Area.

**CARRIED**

RBC GranFondo  
Whistler Special  
Occasion License  
Report No. 12-084  
File No. 8216.36

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

**That** Council endorses the Special Occasion License application for the RBC GranFondo Whistler1 to be held on Saturday, September 8, 2012, subject to Fire and RCMP approval.

**CARRIED**

Permissive Tax  
Exemptions  
Report No. 12-090  
File No. Bylaws 2009,  
2010, and 2011

*This item was removed from the agenda.*

## MINUTES OF COMMITTEES AND COMMISSIONS

Liquor License  
Advisory Committee

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

**That** minutes of the Liquor License Advisory Committee meeting of March 8, 2012 be received.

CARRIED

Audit and Finance  
Standing Committee

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

**That** Minutes of the Audit and Finance Standing Committee meeting of June 14, 2012 be received.

CARRIED

## BYLAWS FOR FIRST READING

Official Community  
Plan Amendment  
Bylaw (BC Transit Site)  
No. 2013, 2012

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

**That** Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 receive first reading as amended.

CARRIED

## BYLAWS FOR SECOND READING

Official Community  
Plan Amendment  
Bylaw (BC Transit Site)  
No. 2013, 2012

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

**That** Official Community Plan Amendment Bylaw (BC Transit Site) No. 2013, 2012 receive second reading as amended.

CARRIED

## BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment  
Bylaw (BC Transit Site)  
No. 2012, 2012

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

**That** Zoning Amendment Bylaw (BC Transit Site) No. 2012, 2012 receive first and second readings.

CARRIED

Zoning Amendment  
Bylaw (Restaurant  
Uses) No. 2014, 2012

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

**That** Zoning Amendment Bylaw (Restaurant Uses) No. 2014, 2012 receive first and second readings.

CARRIED