

# WHISTLER

## AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL  
TUESDAY, MAY 15, 2012 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 regarding amendments to Whistler "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012" (the "proposed Bylaw").

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 (Snowcrest) No.  
1989, 2012

### **PURPOSE OF ZONING AMENDMENT BYLAW (SNOWCREST) NO. 1989, 2012:**

In general terms, the purpose of the proposed Bylaw is to rezone a portion of the lands (Strata Plan VR2296) from RM14 (Residential Multiple Fourteen) to RM66 (Residential Multiple Sixty - Six) and to discharge the Blackcomb Land Use Contract from the remainder of the lands to create consistent zoning regulations for the entire property.

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**



**THE RESORT MUNICIPALITY OF WHISTLER**

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

## **ZONING AMENDMENT BYLAW (SNOWCREST) NO. 1989, 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 amendments to Whistler "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012" (the "proposed Bylaw") in the Franz Wilhelmsen Theatre at Maurice Young Millennium Place, 4335 Blackcomb Way, Whistler, British Columbia commencing at 6:00 p.m., May 15, 2012.

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

**SUBJECT LANDS:** The lands, which are the subject of the proposed Bylaw, are located at 4750 Glacier Drive ("the Lands"). More specifically these lands are described as Strata Lots 1 – 7, Strata Plan VR2296 (Snowcrest), as shown outlined in bold on the map attached.

**PURPOSE OF "ZONING AMENDMENT BYLAW (Snowcrest) NO. 1989, 2012":** In general terms, the purpose of the proposed Bylaw is to rezone a portion of the lands (Strata Plan VR2296) from RM14 (Residential Multiple Fourteen) to RM66 (Residential Multiple Sixty - Six) and to discharge the Blackcomb Land Use Contract from the remainder of the lands to create consistent zoning regulations for the entire property.

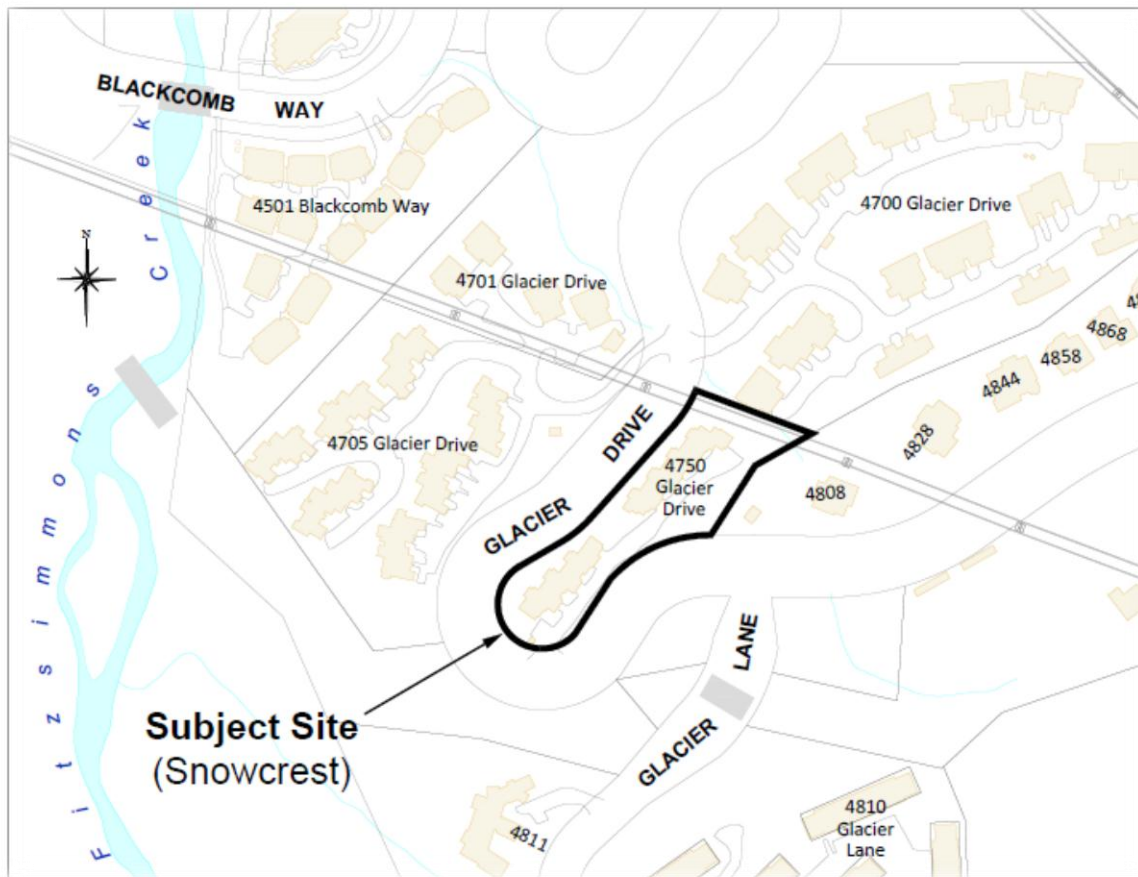
**AND FURTHER TAKE NOTICE** that a copy of the aforementioned "Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012" and related documents which have been or will be considered by the Council of the Resort Municipality of Whistler may be inspected at the reception desk of Municipal Hall of the Resort Municipality 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 May 3, 2012 to May 15, 2012 (inclusive) (statutory holidays excluded).

Lonny Miller  
Corporate Officer

The following Public Hearings will be held on May 15, 2012 starting at 6:00 p.m. in the following order:

- 1) Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012; and
- 2) Zoning Amendment Bylaw (IL2 Zone – Indoor Recreation Uses) No. 1995, 2012

Subject Lands – Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012



**RESORT MUNICIPALITY OF WHISTLER  
ZONING AND PARKING AMENDMENT BYLAW NO. 1989, 2012**

**A BYLAW TO AMEND THE WHISTLER ZONING AND PARKING BYLAW NO.303, 1983 AND  
DISCHARGE A LAND USE CONTRACT**

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

**WHEREAS** a land use contract may, under s.930 of the *Local Government Act*, be discharged by bylaw with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the discharge; and

**WHEREAS** the owners of the lands in Strata Plan VR2296 have consented in writing to the discharge of a land use contract charging those lands;

**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 (Snowcrest) No. 1989, 2012"
2. Zoning and Parking Bylaw No. 303, 1983 is amended by:
  - (a) adding "RM66" to Section 7 under the heading, "R Zones" after "UR1" and adding under the heading, "Residential Zones", the following:

"Residential Multiple Sixty-Six (Snowcrest) (Bylaw No. 1989, 2012)".
  - (b) amending Schedule "A" Zoning Map by changing the zoning designation of all of the lands contained in Strata Plan VR2296 to RM66 (Residential Multiple Sixty-Six) as shown in heavy black outline and identified on the plan annexed to this Bylaw as Schedule "1".
  - (c) adding to Section 12 in numerical order the Zoning District Schedule "RM66" as annexed to this Bylaw as Schedule "2".
  - (d) by amending Section 23, Schedule "A", "Legend of Zones", by adding under the heading, "Residential Zones" the following in appropriate order:

"Residential Multiple Sixty-Six (RM66)"
3. That certain land use contract registered in the Vancouver Land Title Office under No. G2520 on January 11, 1979, as subsequently modified under No. BA411345, is discharged from the lands described in Section 2(b), and the Corporate Officer shall register a certified copy of this bylaw in the Land Title Office in accordance with the *Land Title Act* and Section 930(10) of the *Local Government Act*.
4. If any section or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Given first and second readings this 1<sup>st</sup> day of May, 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 this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

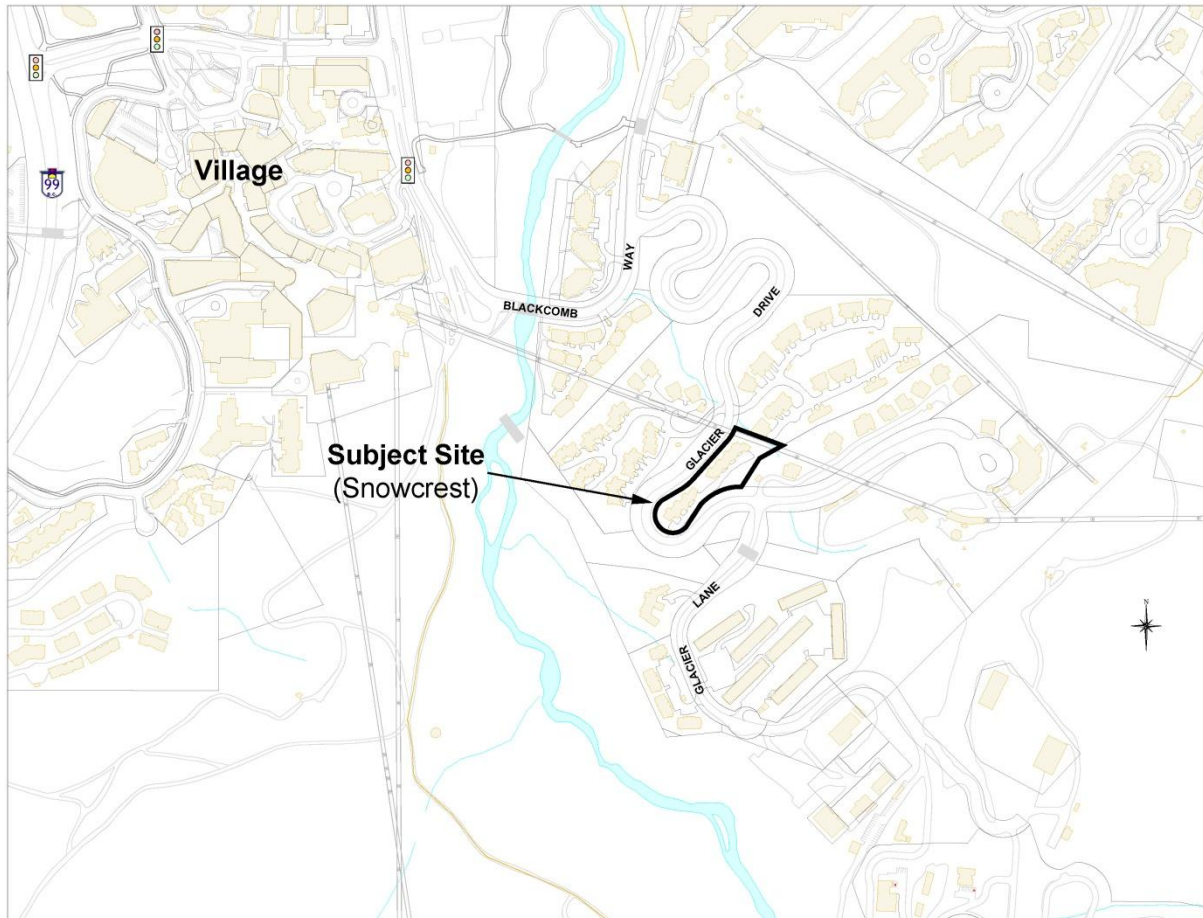
\_\_\_\_\_  
Nancy Wilhelm-Morden,  
Mayor

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

I HEREBY CERTIFY that this is a true  
copy of "Zoning Amendment Bylaw  
(Snowcrest) No. 1989, 2012"

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

**SCHEDULE 1**  
**4750 Glacier Dr. – Snowcrest (Strata Plan VR2296)**  
**to be zoned RM66 (Residential Multiple Sixty-six)**



**SCHEDULE 2**

RM66  
SNOWCREST

**RM66 Zone (Residential Multiple Sixty-Six) (Bylaw No. 1989, 2012)****Intent**

The intent of this zone is to provide for medium-density residential development adjacent to other residential developments.

68 In the RM66 Zone:

**Permitted Uses**

68.1 The following uses are permitted, and all other uses are prohibited:

- (a) auxiliary buildings and auxiliary uses;
- (b) ski lift facilities;
- (c) tourist accommodation in townhouses; and
- (d) townhouse.

**Density**

68.2.1 The maximum permitted gross floor area for the RM66 zone is 2,518 square metres.

68.2.2 The maximum permitted gross floor area for each strata lot is shown in the following table:

<b>Strata Lots</b>	<b>Maximum Gross Floor Area (m<sup>2</sup>) per unit</b>
1, 4, and 7	362.3
2, 5, and 6	348.5
3	385.6
<b>Total GFA</b>	<b>2518</b>

and for the purpose of measuring the gross floor area of a strata lot:

- (a) the area of a floor of a portion of a building comprising a strata lot that shares a wall with another strata lot shall be measured to a point that is midway between the outer surfaces of the wall; and
- (b) a strata lot shall be deemed to include any area of limited common property designated on the strata plan for the exclusive use of the owner of the strata lot under the *Strata Property Act*, and any area of common property otherwise designated for such exclusive use whether by lease, easement or otherwise.

### **Height**

68.3.1 The maximum permitted height of a townhouse is 13.7 m.

68.3.2 The maximum permitted height of an auxiliary building or structure is 5 m.

### **Site Coverage**

68.4 The maximum permitted site coverage is 35%.

### **Setbacks**

68.5.1 The minimum permitted setback from the northeast parcel boundary is 12 metres.

68.5.2 The minimum permitted setback for a townhouse from all other parcel boundaries is 6 metres.

68.5.3 The minimum permitted setback for an auxiliary building for the enclosure of garbage and recycling containers is 1.5m from all parcel boundaries and any such structure must be located adjacent to a driveway providing access to the parcel on which the structure is located.

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

68.6 Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Section 6 of this Bylaw.

### **Other Regulations**

68.7.1 The minimum permitted separation between principal buildings is 17 metres.

68.7.2 The maximum number of dwelling units in the RM66 zone shall be 7.





## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** May 1, 2012

**REPORT:** 12-054

**FROM:** Resort Experience

**FILE:** RZ1052

**SUBJECT:** 4750 GLACIER DRIVE – DISCHARGE OF LAND USE CONTRACT AND REZONING

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATIONS

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012”;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding Bylaw No. 1989, 2012 and to advertise for same in the local newspapers; and further

**That** Council stipulate that any consideration of the adoption of Zoning Amendment Bylaw 1988, 2012 is subject to the following conditions:

- a) Submission by the applicant’s lawyer that a S219 Covenant will be developed with staff and registered at the Land Titles Office that the site will be developed in accordance with the approved drawings prepared by Kat Sullivan Design, revised date July 10, 2011, the recommendations of Kerr Wood Leidal engineering study dated August 17, 2011, and the recommendations of the Cascade Environmental study dated June 28, 2011;
- b) Confirming payment of all application processing fees; and
- c) Written confirmation from all strata lot owners within Strata Plan VR2296, consenting to the discharge of the Land Use contract G2520 from their properties.

### REFERENCES

**Applicant:** Strata Corporation VR2296 (Snowcrest)

**Location:** 4750 Glacier Drive

**Legal:** Strata Lots 1 to 7, District Lots 3903 and 4213 Strata Plan VR 2296

**Land Use Contract:** LUC G2520 (Original Blackcomb Land Use Contract - OBLUC)

**Existing Zoning:** RM14 (Residential Multiple Fourteen)

**Appendices:** Appendix “A: Summary - existing and proposed development regulations”

Appendix “B: Design drawings illustrating proposed additions per unit”

Appendix “C: Council Policy G-19: OBLUC Development Applications”

Appendix “D: Engineering and Environmental Reports”

Appendix “E: Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012”

## PURPOSE OF REPORT

This report seeks Council's consideration of first and second readings for Zoning Amendment Bylaw No. 1989, 2012 to enable the municipality to create unified zoning regulations for the entire property by discharging the Original Blackcomb Land Use Contract and the RM14 (Residential Multiple Fourteen) regulations and zone the entire property to RM66 (Residential Multiple Sixty-six) (Figure 1).

## DISCUSSION

The subject property is an existing strata (Strata Plan VR2296), known as "Snowcrest", located at 4750 Glacier Drive and is comprised of seven 3-storey townhouses in two buildings. The property and existing strata units are regulated by a variety of regulations with a portion subject to the Blackcomb Land Use Contract regulations, a portion subject to RM14 zone regulations and the entire property subject to Council Policy G-19. The intention of this rezoning application is to replace all of these regulations with a new common set of zoning regulations for the entire property. This would create certainty for each strata unit's existing development and redevelopment potential which is desirable by the strata property owners and the local government.

### Site Context

The subject site is a 0.63 ha (1.56 acres) property in the Blackcomb Benchlands with a northeast to southwest orientation and is a narrow sloped site screened from the road by a significant number of mature coniferous trees. The "Excalibur Gondola" crosses over the site parallel to the northeast boundary of the site. The Pinnacle Ridge development is located to the north of the site, the Cedar Ridge development is located to the southwest across Glacier Drive, and the Summit Lane development is located above the subject site to the northeast with access from Summit Lane (Figure 2).

### Blackcomb Land Use Contract G2520

In 1979, the "original" Blackcomb Land Use Contract G2520 (OBLUC) was registered to regulate an 83 ha (205 acre) area covering a large part of the Blackcomb Benchlands which included the subject property. The OBLUC permitted a wide variety of commercial, residential, institutional and recreational uses for the entire area as it was being developed. The OBLUC contains provisions which control an owners' ability to obtain permission for building modifications. Section 7 of the OBLUC requires "development approval" by the Municipality, both for the original development plan and for any changes. The OBLUC also contains the "Blackcomb Mountain Development Guidelines", which are used to evaluate site design and architectural form and character issues, for any proposed development or modification and requires all such modifications to be registered by a covenant. Covenant modifications require Municipal Council approval. In summary, Land Use Contracts are a cumbersome mechanism for a local government to administer land use and built form development or modifications therefore the Municipality favours the discharge of these instruments. However, prior to discharging a LUC, appropriate replacement zoning must be in effect for the property.

### RM14 Zoning

In 1987, as part of a rezoning application for several medium density developments (Cedar Ridge, Snowy Creek and Snowcrest) in the Blackcomb Benchlands area, a small portion of the Snowcrest property near the entrance was zoned RM14 (Figure 2). The RM14 zone permits a similar wide variety of uses as the OBLUC. However, the majority of the site remains regulated by the OBLUC.

The site being regulated by both the OBLUC and the RM14 zone creates different development rights and development guidelines for the units and the site.

#### Council Policy G-19 “OBLUC Development Applications Process”

On April 18, 2005, Council adopted Policy G-19 to apply to all development applications for all properties subject to the OBLUC as outlined in Appendix C. The principle objectives of this policy are to provide clear guidance to owners, staff, Council and the public regarding the criteria and procedures for the municipality’s consideration of development applications for the properties listed in the policy, and to streamline the procedures for minor development applications by delegation of Council review and approval authority to the General Manager of Planning and development. For the Snowcrest property, Policy G-19 allows an additional 83 sq.m (889 sq.ft.) or 4.4% increase to the existing gross floor area in terms of minor development applications as outlined in Appendix C. However, the proposal as submitted requests an additional 646 sq.m (6,954 sq.ft.) or a 35% increase to the existing gross floor area for the site which exceeds the minor development nature of applications delegated to the General Manager under Policy G-19.

Under Policy G-19 Council may approve additional gross floor area beyond what is listed in the policy, subject to the discharge of the Land Use Contract and rezoning approval. Policy G-19 and the original Council report on April 18, 2005 outlining the policy left the review criteria and additional gross floor area maximums at Council’s discretion on a case by case basis. In the past, the discharge of the cumbersome Land Use Contract review and amending process and the adoption of zoning regulations and design guidelines requirements for a property appear to be the reasons that additional gross floor area for such applications were supported.

#### **ZONING BYLAW AMENDMENT MODIFICATIONS**

This section of the report outlines the changes to Zoning Bylaw No. 303 as proposed in Zoning Amendment Bylaw No. 1989, 2012 in Appendix E:

The proposed RM66 (Residential Multiple Sixty-six) zone is a multiple residential zone and would establish specific permitted uses, density, setback, height and parking requirements for the site. The intention is to create a zone that is consistent with the existing development while eliminating the OBLUC uses which are not applicable to the site. Permitted uses are limited to duplexes, townhouses, ski lift facilities, tourist accommodations in duplex dwelling and townhouses, and auxiliary buildings and auxiliary uses. Auxiliary residential dwelling units are not permitted. The maximum number of dwelling units is limited to the existing 7 dwelling units. There are fourteen existing parking spaces; 7 garage spaces and 7 surface spaces. No additional parking spaces are proposed or possible given the narrow, steep constraints of the property and the existing private road layout. The proposed RM66 zone’s 2 spaces per dwelling unit, as existing on site, is consistent with the Zoning Bylaw requirements for other RM Zones.

As requested by the applicant, the proposed RM66 Zone would permit the development of an additional 646 sq.m (6,954 sq.ft.) of gross floor area for the entire property as outlined and illustrated in Appendices “A” and “B” attached. No two units have the same proposed increase to their gross floor area. All units propose to add at least 1 additional bedroom and increase the size of living, dining and playroom areas. The increase in additional gross floor area range between Unit 1 in Building 1 with 96.6 sq.m (1,040 sq.ft) and Unit 6 in Building 2 with 62.3 sq.m (671 sq.ft.). Unit 1 is currently the smallest dwelling unit of the seven units. Unit 3 in Building 1 proposes 2 additional bedrooms and a ‘bunk room’ on the lower floor.

A comparison table of the proposed RM66 Zone, the OBLUC and RM14 regulations is attached in Table 1 in Appendix “A”. Prior to the adoption of the RM66 zone, the Strata Council will need to provide the municipality with written statements of support by all owners for the discharge of the OBLUC and rezoning of the property.

## **POLICY CONSIDERATIONS**

### **OCP at 1<sup>st</sup> Reading (Bylaw No. 1983, 2011)**

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

### **Official Community Plan Policies**

The existing Official Community Plan (OCP) provides policies related to the location, amount and pattern of land use and development; an evaluation methodology for proposed zoning amendments; and guidelines regarding issues such as; form and character of development, protection of development from hazardous conditions and protection of the natural environment. Specific policies that have been recognized and considered pertinent to the proposed rezoning are listed below:

#### Residential Development

OCP Sections 4.1 and 4.2 policies relate to Residential Accommodations and Residential Housing issues and Section 4.13 provides criteria on how to evaluate proposed rezoning amendments or development projects. OCP Section 4.1 focusses on the accommodation capacity of the community as measured in bed units. The existing policy assigns a maximum of four bed units per Multiple Residential Dwelling Unit when a unit is 100 sq.m or larger, irrespective of the maximum size of the unit. The OBLUC registered on the land title for this Strata development states a maximum number of 28 bed units for this property, indirectly setting a maximum of 4 bed units per dwelling unit, therefore the development is consistent with the OCP policy. The gross floor area additions as proposed are consistent with the OCP Section 4.13 criteria for the siting and design of additions to an existing residential development.

#### Municipal Infrastructure Capacity

The proposed RM66 Zone would allow for the development of an additional 646 square metres (6,954 sq.ft.) of gross floor area on the property. The additions would allow the units to be updated and enlarged but the number of dwelling units on the property will remain unchanged. Engineering reviewed the proposal and generally has no objections or issues as no new dwelling units or bed units are being created. However, if Works and Services charges for this property were not collected in the past and this development exits the LUC, then Works and Services charges will

become payable on each of these units. These charges, if applicable, will be assessed at time of subdivision or building permit applications.

### Views and Scenery

The proposed townhouse unit additions, as shown in Appendix B, should have no effect on views and scenery within the existing neighbourhoods as most are screened by the property's perimeter mature trees, changes in topography or face the internal private road.

### Development Permit Guidelines

To be consistent with the existing OCP objectives for multi-family sites, the site should be made subject to the development permit area design requirements as per the *Local Government Act*. However, the new OCP Bylaw 1983, 2011, as mentioned above and currently at first reading, makes all multi-family properties in the RMOW subject to development permit requirements for form and character, protection of the natural environment, protection from hazardous conditions, and energy conservation measures and GHG emission reduction goals when it is adopted.

Instead of a separate OCP Amending Bylaw for this project which requires additional processing time and Ministerial approval, staff recommends as a zoning requirement that a S219 Covenant be registered to achieve the equivalent objectives contained within the proposed OCP development permit area objectives in Bylaw 1983, 2011. The S219 Covenant will include the drawings from Appendix C and the environmental and engineering reports in Appendix D to ensure the development of the site conforms to their recommendations.

### Community Energy and Emission Reductions

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

Any changes to the zoning bylaw that increases the currently permitted gross floor area may both result in increased energy use, as well as associated greenhouse gas emissions. It is possible owners will integrate innovative building materials when completing additions to the existing units to reduce their overall energy consumption and emissions footprint, but there is no current means within current legislation or regulations to require that energy efficiency is maximized and total consumption is reduced at the building permit stage. If additional municipal control of these issues is desired then a S219 Covenant is required as a condition of the zoning application. Staff does not recommend a S219 Covenant for these issues in this case given the limited extent of the proposed additions.

### **Riparian Areas Regulations**

Council policies in the existing OCP and Whistler 2020 documents support the protection, enhancement and restoration of riparian areas as protected under the provincial Riparian Areas Regulations. A tributary to the Fitzsimmons Creek is located at the northeast end of the site which is subject to the provincial Riparian Areas Regulations for the protection of this environment. In

June 2011, Cascade Environmental consultants and in July 2011, Keir Wood Leidal engineers, were retained to conduct and prepare qualified assessments of the site with respect to the proposed additional gross floor area and recommendations for how to protect the development and the stream environment when development is to be implemented (Appendix D). The qualified engineering and environmental professionals' recommendations must be implemented if additional development occurs on the site. The engineering and environmental reports and their recommendations will form part of the S219 Covenant for the property as indicated above under Development Permit Guidelines.

### Whistler 2020 Analysis

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

<b>W2020 Strategy</b>	<b>TOWARD</b> Descriptions of success that resolution moves us toward	<b>Comments</b>
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	The development of the additional floor space may improve the return on capital invested by property owners.
Economic	A skilled workforce supports the local economy, and the local economy supports the skilled workforce.	New zone with the additional floor area may lead to employment for local builders to obtain appropriate permits for owners.
Resident Housing	Residents enjoy housing in mixed-use neighbourhoods that are intensive, vibrant and include a range of housing forms.	Amendments may lead to a diversity of the housing forms in the Benchland neighbourhood.
Built Environment	The new and renovated built environment has transitioned toward sustainable management of energy and materials.	The increased floor area may have associated increases in energy demand but the renovations and additions may utilize newer technologies and materials for completing these spaces.
<b>W2020 Strategy</b>	<b>AWAY FROM</b> Descriptions of success that resolution moves away from	<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.	Proposed design concepts for all units are complimentary to the existing townhomes design.
Resident Housing	Developed areas are designed and managed to be sensitive to the surrounding environment	Appropriate engineering and environmental reports with recommendations to minimize impacts on surrounding environment have been completed.
Built Environment	The renovated built environment has transitioned toward sustainable management of energy and materials.	The potential for increased floor area may have associated increases in energy demand. Renovations may utilize newer technologies and materials which could improve energy efficiencies over the existing systems.

## **Building Permits**

If works and services charges were not collected in the past on previous building permits and this development discharges the Land Use Contract, then the applicable works and services charges will become payable on each of these units. All new additions or renovations will also require the appropriate buildings permits be applied for and approved prior to the work commencing.

## **COMMUNITY ENGAGEMENT AND CONSULTATION**

A rezoning sign has been placed on the site. At time of writing this report, staff had not received any inquiries from neighbours or the community.

There is a statutory requirement in the Local Government Act for the zoning amendment to obtain public input, therefore a Public Hearing will be advertised and held as per the requirements of the LGA and Council notification policy.

## **BUDGET CONSIDERATIONS**

The adoption of the RM66 Zone may lead to an increase in the BCAA assessments of the individual units based on the larger permissible floor space, which in turn may increase the RMOW tax revenues depending on the future budgetary decisions of Council. The construction of the proposed additional floor area per unit will contribute to future building permit revenues at time of building permit application.

## **STAFF COMMENTS AND RECOMMENDATIONS**

Currently, the site is divided, with the majority of the site governed by the OBLUC, and a small portion governed by RM14 Zone regulations. This creates a difference in development regulations and rights on the site for the owners. The proposed RM66 Zone would create unified regulations for the property and allow for the development of an additional 646 square metres (6,954 sq.ft.) of gross floor area distributed amongst the units as per Appendix A. Staff recommends a S219 Covenant be acquired as a zoning requirement to ensure the proposed new additions are developed substantially consistent with the form and character design of the submitted designed drawings and the recommendations of the engineering and environmental reports for the protection of the development from hazardous conditions and protection of the natural environment (tributary to Fitzsimmons Creek). The attached Zoning amending bylaw is supported by staff and is consistent with Whistler2020, OCP goals and objectives, and Council Policy G-19.

## SUMMARY

This report presents Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012 for Council consideration and recommends:

1. That Council consider giving first and second readings to “Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012”;
2. That Council authorize the Corporate Officer to schedule a public hearing regarding Bylaw No. 1989, 2012 and to advertise for same in the local newspapers; and further
3. That Council stipulate that prior to any consideration of the adoption of Zoning Amendment Bylaw 1988, 2012 be subject to the following conditions:
  - a) Submission by the applicant’s lawyer that a S219 Covenant will be developed with staff and registered at the Land Titles Office that the site will be developed in accordance with the approved drawings prepared by Kat Sullivan Design, dated July 10, 2011, the recommendations of Kerr Wood Leidal engineering study dated August 17, 2011, and the recommendations of the Cascade Environmental study dated June 28, 2011;
  - b) Confirmation of payment of all application processing fees; and
  - c) Written confirmation from all strata lot owners within Strata Plan VR2296, consenting to the discharge of the Land Use contract G2520 from their properties.

Respectfully submitted,

Robert Brennan, MCIP

Planner

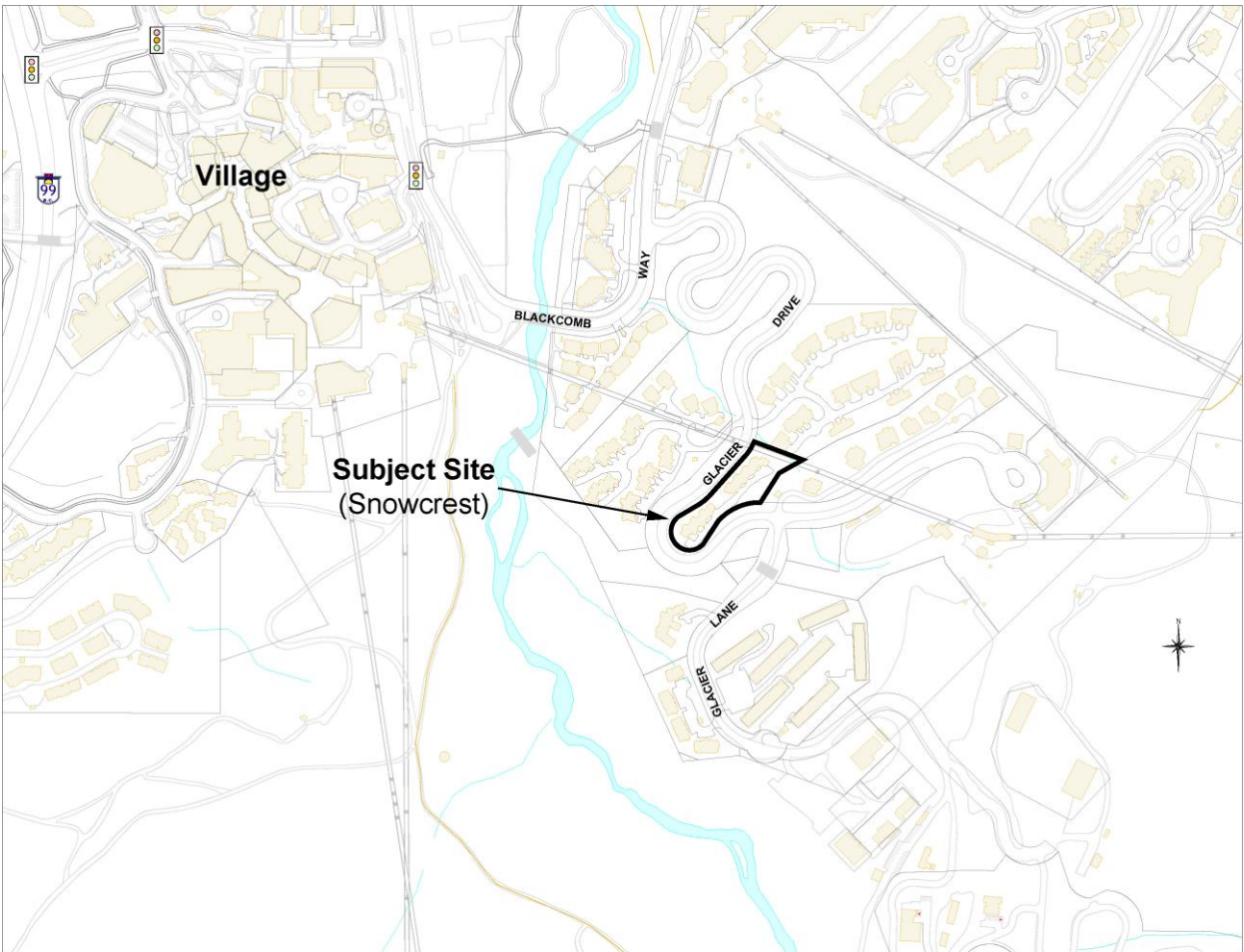
for

Jan Jansen

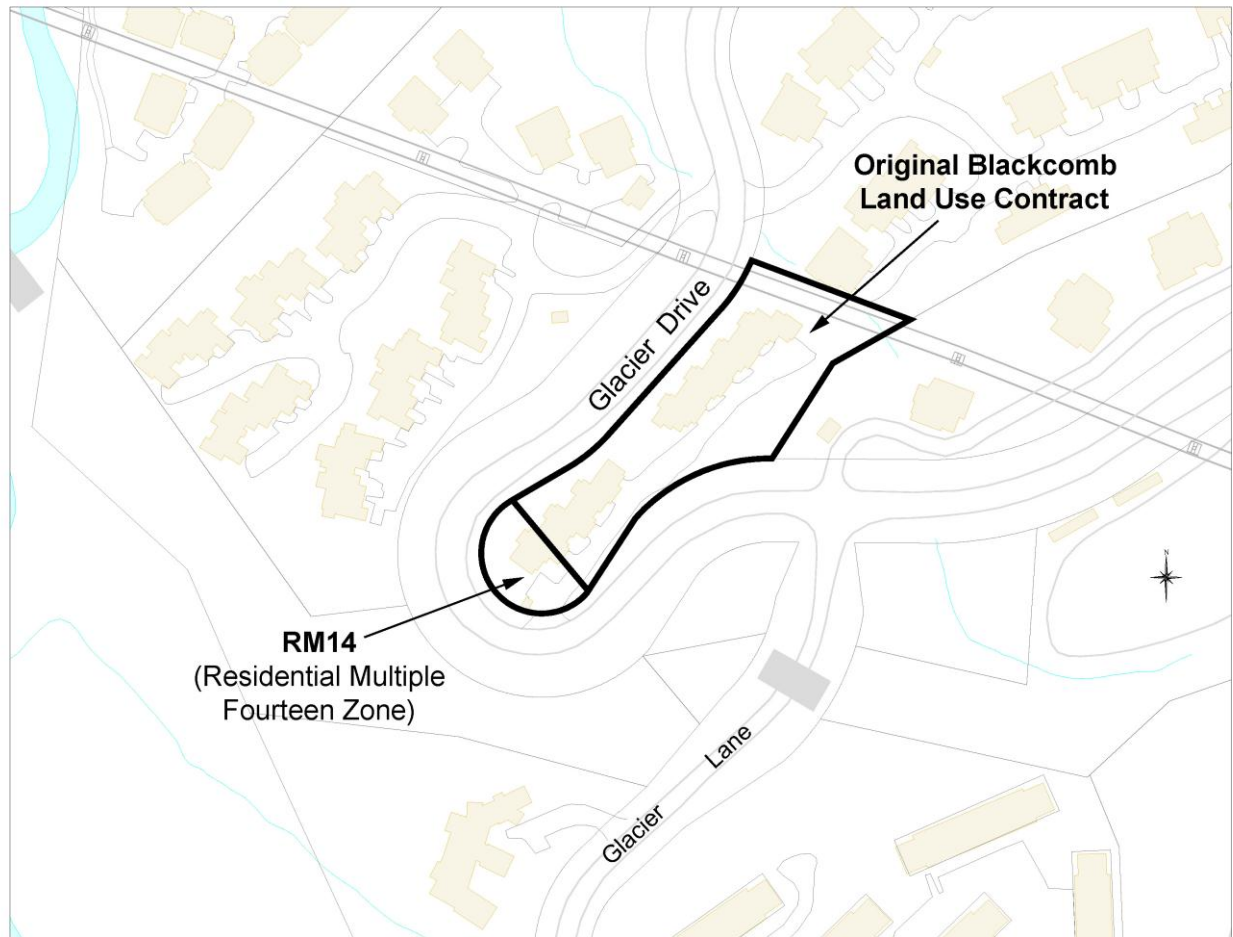
GENERAL MANAGER of RESORT EXPERIENCE



**Figure 1 – Location of Subject Site (Snowcrest)**



**Figure 2 – Extent of Zoning and Original Blackcomb Land Use Contract on Subject Site**



**APPENDIX “A”**

TABLE 1 – Comparison of Original Blackcomb Land Use Contract (OBLUC), RM14 Zone, Existing Development and the Proposed RM66 Zone

<b>Regulation</b>	<b>Original Blackcomb LUC (Zone 1)</b>	<b>Existing RM14 Zone</b>	<b>Existing built development</b>	<b>Proposed RM66 Zone</b>
Permitted Uses	<p>Indoor and outdoor recreation uses;</p> <p>The following commercial uses: the sale, rental and repair of recreational equipment; office space; restaurants; convenience food and beverage stores; licensed premises; boutiques and gift shops;</p> <p>Lodges, hotels, hostels and multiple residential dwellings;</p> <p>Accessory off-street parking use;</p> <p>Accessory off-street loading use;</p> <p>Accessory residential use;</p> <p>Buildings and structures</p>	<p>Auxiliary buildings;</p> <p>Auxiliary uses;</p> <p>Apartment;</p> <p>Duplex dwelling;</p> <p>Indoor and outdoor recreation;</p> <p>Park and playground;</p> <p>Tourist accommodation;</p> <p>and</p> <p>Townhouse.</p>	<p>Auxiliary buildings;</p> <p>Auxiliary uses;</p> <p>Indoor and outdoor recreation;</p> <p>Park and playground;</p> <p>Ski Lift facilities; and</p> <p>Townhouse</p>	<p>Auxiliary buildings;</p> <p>Auxiliary uses;</p> <p>Ski Lift facilities;</p> <p>Tourist accommodation;</p> <p>and</p> <p>Townhouse</p>

<b>Regulation</b>	<b>Original Blackcomb LUC (Zone 1)</b>	<b>Existing RM14 Zone</b>	<b>Existing built development</b>	<b>Proposed RM66 Zone</b>
	<p>accessory to indoor/outdoor recreation uses and the permitted commercial uses;</p> <p>Public utility installations excluding any uses which are primarily of a maintenance and storage nature;</p> <p>Skiing facilities including without limitation: administrative and maintenance facilities, ski runs, ski school offices, lift facilities, skier parking, and the Day Skier Service Area defined in Schedule "C-1".</p>			
<b>Density</b>	Not defined	Maximum permitted floor space ratio 0.25	Existing floor space ratio 0.3	Maximum permitted floor space ratio 0.4
<b>Height</b>	Maximum of 19.9m (65 ft.) and not exceed six stories.	<p>Maximum for a building is 13.7m except as otherwise permitted in Section 12.14.3.2 of the Zoning Bylaw.</p> <p>Maximum for a</p>	13.7m (45 Ft.) existing buildings	Maximum for a building is 13.7m except as otherwise permitted in Section 12.14.3.2 of the Zoning Bylaw.

Regulation	Original Blackcomb LUC (Zone 1)	Existing RM14 Zone	Existing built development	Proposed RM66 Zone
		duplex dwelling is 10.6 metres		
Parcel Size	0.6301 ha (6301 sq.m)	No size requirement	0.6301 ha	0.6301 ha
Parcel Frontage	Existing layout	Minimum is 1/10 <sup>th</sup> of parcel perimeter.	Not defined	Not defined
Site Dimensions	Not defined	Not defined	Not defined	Not defined
Site Coverage – Maximum	80%	50% (by buildings)	Not known	20%
Setbacks Front  Others		7.0m from public highway; 3 m from all other parcel boundaries		6 m from all properties lines
Off-Street Parking	1 space per DU for Multiple Residential Dwellings =  7 garage spaces (one per unit)	1 space per D.U. <55 sq.m, <b>plus</b> , 0.5 space for every additional 40 sq.m. of GFA to a maximum of 2 spaces per D.U.	Existing 7 garage spaces, plus 7 surface spaces on private road	Existing 7 garage spaces, plus 7 surface spaces on private road
Off-Street Loading	Not specified for Multi-residential uses	Not required	Not required	Not required
Other Regulations	Not applicable to this site	Minimum GFA of any dwelling unit in an apt., townhouse or duplex is 32.5 sq.m.	Not defined	Maximum number of dwelling units shall be 7.
Bed Units – Maximum	Multi-Residential DUs require 4 BUs per DU  7 DU x 4 BU = 28 BU	Multiple Residential DUs  Unit Size (sq.m)      Number of BUs 0-55                      2 55-100                   3 100 +                     4 28 BU	28 BU	(no change) 28 BU

<b>Regulation</b>	<b>Original Blackcomb LUC (Zone 1)</b>	<b>Existing RM14 Zone</b>	<b>Existing built development</b>	<b>Proposed RM66 Zone</b>
<b>Dwelling Units: Maximum</b>	7 DU	7 DU	7 DU	(no change) 7 DU

LUC = Land Use Contract

DU = Dwelling Units

GFA = Gross Floor Area

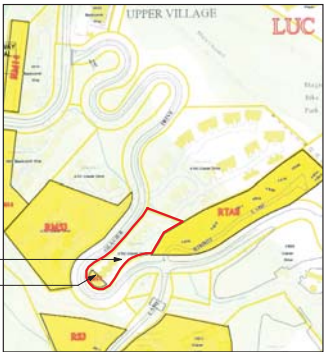
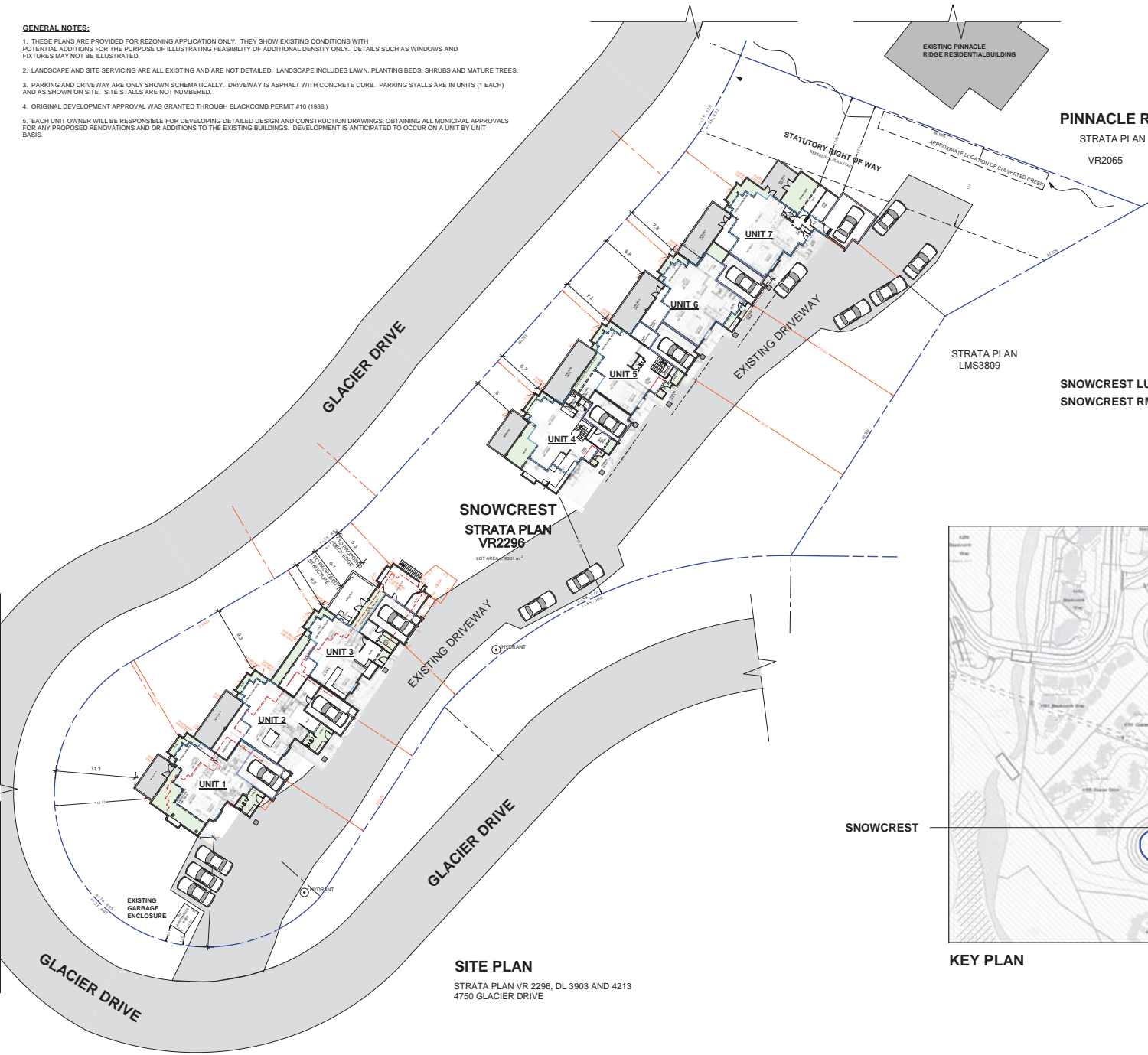
BU = Bed Units

TABLE 2 – Comparison of Existing and Proposed Dwelling Unit floor area sizes

<b>Building and Unit</b>	<b>Existing Total Floor Areas (sq.m)</b>	<b>Proposed New Floor Area (sq.m)</b>	<b>Proposed New Total Floor Areas (sq.m)</b>	<b>Proposed % increase in floor area over existing</b>
<b>BUILDING 1</b>				
Unit 1	246.1	96.6	342.7	39.3%
Unit 2	263.9	68.8	332.7	26.1%
Unit 3	305.7	79.0	384.7	25.8%
<b>BUILDING 2</b>				
Unit 4	269.4	80.4	349.8	29.8%
Unit 5	250.4	71.5	321.9	28.6%
Unit 6	265.2	62.3	327.5	23.5%
Unit 7	270.8	76.2	347.0	28.1%
Overall Totals	1,871.4	534.7	2,406.3	28.6%



- GENERAL NOTES:**
- 1. THESE PLANS ARE PROVIDED FOR REZONING APPLICATION ONLY. THEY SHOW EXISTING CONDITIONS WITH POTENTIAL ADDITIONS FOR THE PURPOSE OF ILLUSTRATING FEASIBILITY OF ADDITIONAL DENSITY ONLY. DETAILS SUCH AS WINDOWS AND FIXTURES MAY NOT BE ILLUSTRATED.
  - 2. LANDSCAPE AND SITE SERVICING ARE ALL EXISTING AND ARE NOT DETAILED. LANDSCAPE INCLUDES LAWN, PLANTING BEDS, SHRUBS AND MATURE TREES.
  - 3. PARKING AND DRIVEWAY ARE ONLY SHOWN SCHEMATICALLY. DRIVEWAY IS ASPHALT WITH CONCRETE CURB. PARKING STALLS ARE IN UNITS (1 EACH) AND AS SHOWN ON SITE. SITE STALLS ARE NOT NUMBERED.
  - 4. ORIGINAL DEVELOPMENT APPROVAL WAS GRANTED THROUGH BLACKCOMB PERMIT #10 (1988.)
  - 5. EACH UNIT OWNER WILL BE RESPONSIBLE FOR DEVELOPING DETAILED DESIGN AND CONSTRUCTION DRAWINGS, OBTAINING ALL MUNICIPAL APPROVALS FOR ANY PROPOSED RENOVATIONS AND OR ADDITIONS TO THE EXISTING BUILDINGS. DEVELOPMENT IS ANTICIPATED TO OCCUR ON A UNIT BY UNIT BASIS.



By using this document the client agrees that the consultant's liability for services including negligence and consequences or errors solely devolves to the value of these plans. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and/or injury as a result of services rendered.

FOR REZONING APPLICATION	JUL / 11
FOR REZONING APPLICATION	OCT / 10
AS BUILT LAYOUT DEV. SUMMARY	JAN 25 / 10
AREAS FOR EXPANSION FOR STRATA	
Revisions	Date

**Kat Sullivan Design**

Residential Design  
Commercial Improvements  
Building Code Review

8401 Matterhorn Drive Whistler B.C. V0N 1B8  
Phone/Fax: 932-6055 email: kat.s@shaw.ca

**SNOWCREST BLDG 1**  
**As-built Layout Proposed Add'n Area**

**4750 GLACIER DRIVE**  
**Whistler**

<b>SITE PLAN</b>	
SCALE: 1:250 METRIC	PAGE: <b>RA 1 of 9</b>
DRAWN: KS	

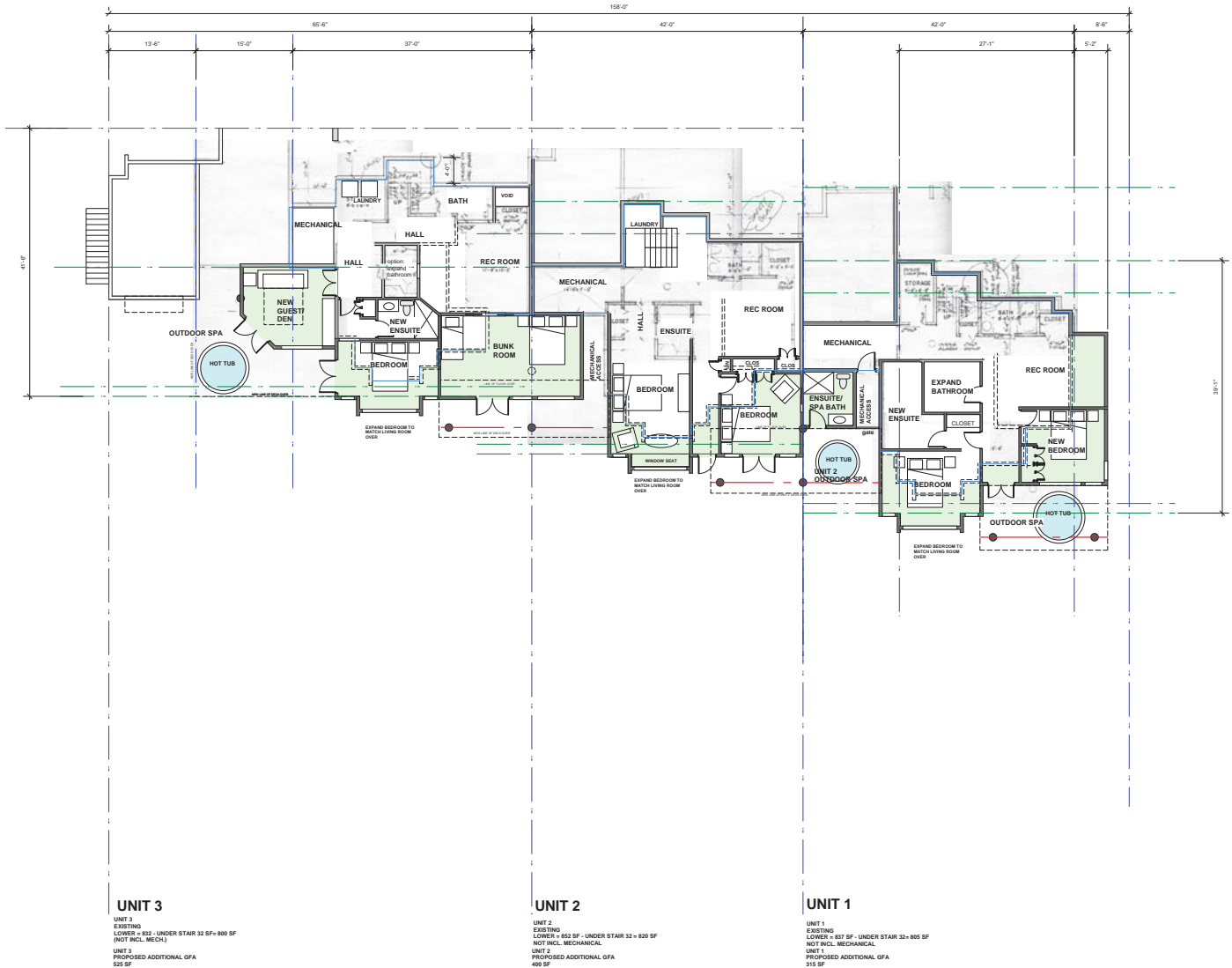
ALL CONSTRUCTION TO CONFORM TO PART 9, B.C.B.C. 2006, RESIDENTIAL (C) OCCUPANCY.

# BUILDING #1

CONCEPT PLAN ONLY  
ELEVATIONS DO NOT REFLECT ALL PLAN CHANGES  
DIMENSIONS TO BE VERIFIED  
DORMER LOCATIONS TO BE VERIFIED  
AREA CALCULATIONS APPROXIMATE

## LEGEND

- EXISTING WALL
- EXISTING WALL TO BE REMOVED
- PROPOSED NEW WALL
- PROPOSED NEW FLOOR AREA
- PROPOSED NEW DECK



By using this document the client agrees that the consultant is not liable for services including negligence and assumes a strictly limited liability to the value of fees paid. The client agrees to indemnify and defend the consultant in the event of third party claims alleging negligence and/or injury as a result of services rendered.

FOR REZONING APPLICATION  
FOR REZONING APPLICATION  
CONCEPT  
AS BUILT LAYOUT, DEV. SUMMARY  
+ AREAS FOR EXPANSION FOR STRATA  
CONCEPT ONLY

JUL / 11  
OCT / 10  
JAN 25 / 10

Revisions

Kat Sullivan Design

Residential Design  
Commercial Improvements  
Building Code Review

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Phone/Fax: 932-6055 email: kat.s@sphaw.ca

**SNOWCREST  
BLDG 1  
As-built Layout  
Proposed Add'n  
Area**

**4750  
GLACIER DRIVE  
Whistler**

**LOWER FLOOR**

SCALE:  
1/4"=1'-0"  
U.N.O.

PAGE:  
**RA 2 of 9**



CONCEPT PLAN ONLY  
ELEVATIONS DO NOT REFLECT ALL PLAN CHANGES  
DIMENSIONS TO BE VERIFIED  
DORMER LOCATIONS TO BE VERIFIED  
AREA CALCULATIONS APPROXIMATE

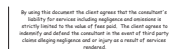
EXISTING WALL

EXISTING WALL TO BE REMOVED

PROPOSED NEW WALL

PROPOSED NEW FLOOR AREA

PROPOSED NEW DECK



FOR REZONING APPLICATION	JUL / 11
FOR REZONING APPLICATION CONCEPT	OCT /10
AS BUILT LAYOUT, DEV. SUMMARY + AREAS FOR EXPANSION for STRATA CONCEPT ONLY	JAN 25 /10

Kat Sullivan Design

Residential Design  
Commercial Improvements  
Building Code Review

8401 Matterhorn Drive Whistler B.C. V0N 1B8  
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**SNOWCREST  
BLDG 1  
As-built Layout  
Proposed Add'n  
Area**

**4750  
GLACIER DRIVE  
Whistler**

**MAIN FLOOR**

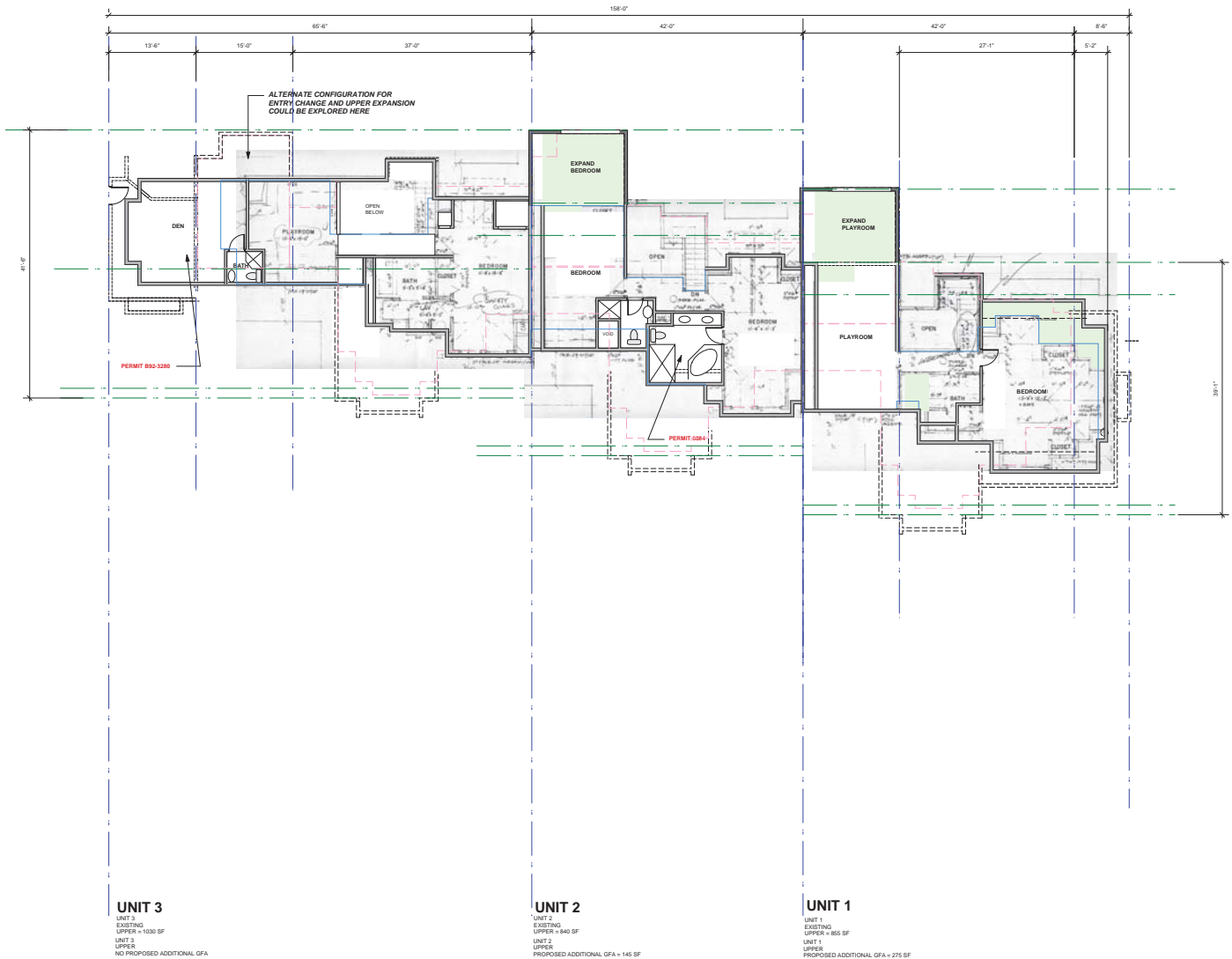
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DRAWN: KS	

# BUILDING #1

CONCEPT PLAN ONLY  
ELEVATIONS DO NOT REFLECT ALL PLAN CHANGES  
DIMENSIONS TO BE VERIFIED  
DORMER LOCATIONS TO BE VERIFIED  
AREA CALCULATIONS APPROXIMATE

## LEGEND

- EXISTING WALL ————
- EXISTING WALL TO BE REMOVED - - - - -
- PROPOSED NEW WALL ————
- PROPOSED NEW FLOOR AREA [Green Box]
- PROPOSED NEW DECK [Grey Box]



By using this document the client agrees that the contractor is  
liable for services including negligence and economic loss  
strictly limited to the value of fees paid. The client agrees to  
indemnify and defend the contractor in the event of third party  
claims alleging negligence and/or injury as a result of services  
rendered.

FOR REZONING APPLICATION	JUL / 11
FOR REZONING APPLICATION	OCT / 10
CONCEPT	
AS BUILT LAYOUT, DEV. SUMMARY	JAN 25 / 10
AREA FOR EXPANSION FOR STRATA	
CONCEPT ONLY	

Revisions	Date
-----------	------

Kat Sullivan Design

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Commercial Improvements  
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**SNOWCREST  
BLDG 1  
As-built Layout  
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Area**

**4750  
GLACIER DRIVE  
Whistler**

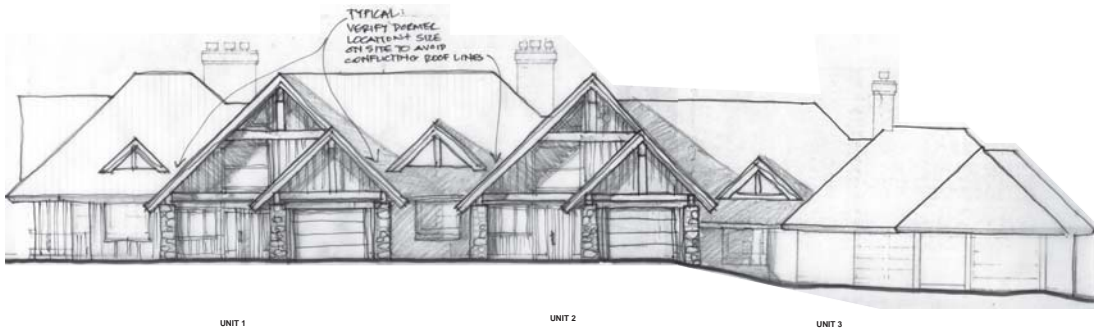
**UPPER FLOOR**

SCALE: 1/4"=1'-0" U.N.O.	PAGE: <b>RA 4 of 9</b>
DRAWN: KS	

JOB 08-29

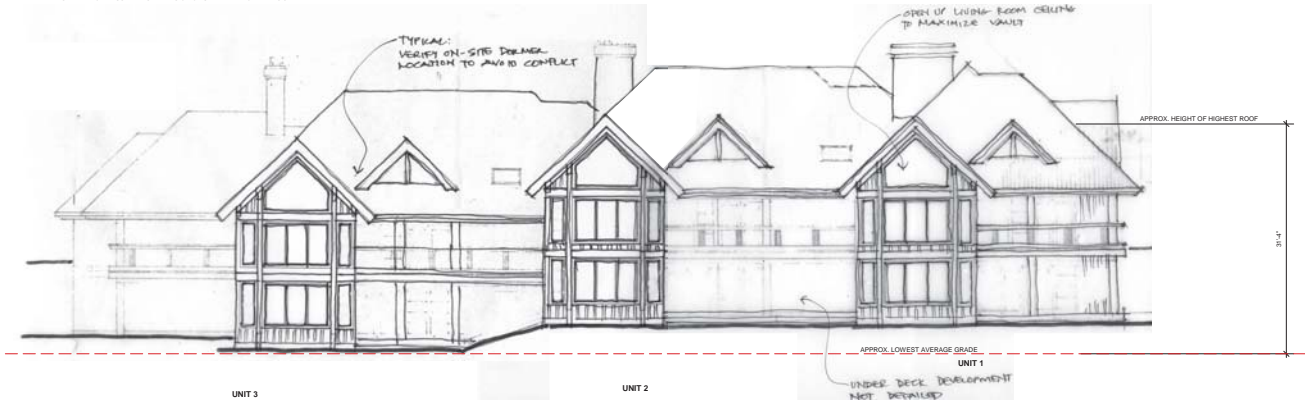
# BUILDING #1

CONCEPT PLAN ONLY  
ELEVATIONS DO NOT REFLECT ALL PLAN CHANGES  
DIMENSIONS TO BE VERIFIED  
DORMER LOCATIONS TO BE VERIFIED  
AREA CALCULATIONS APPROXIMATE



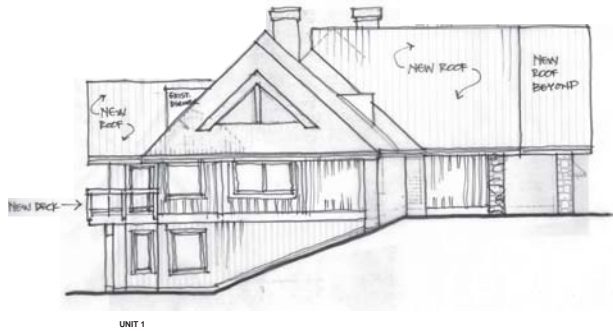
## EAST ELEVATION

THIS ELEVATION ILLUSTRATES EXPANSION OF UNIT 1 AND 2 ONLY THIS SIDE



## WEST ELEVATION

THIS ELEVATION ILLUSTRATES EXPANSION OF ALL UNITS THIS SIDE



## SOUTH ELEVATION

By using this document the client agrees that the consultant is  
liable for services including negligence and malpractice in  
strictly limited to the value of fees paid. The client agrees to  
indemnify and defend the consultant in the event of third party  
claims alleging negligence and/or injury as a result of services  
rendered.

FOR REZONING APPLICATION	JUL / 11
FOR REZONING APPLICATION	OCT / 10
CONCEPT	
AS BUILT LAYOUT, DEV. SUMMARY	JAN 25 / 10
AREAS FOR EXPANSION FOR STRATA	
CONCEPT ONLY	

Revisions Date

### Kat Sullivan Design

Residential Design  
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**SNOWCREST  
BLDG 1  
As-built Layout  
Proposed Add'n  
Area**

**4750  
GLACIER DRIVE  
Whistler**

### ELEVATIONS

SCALE: 1/4"=1'-0" U.N.O	PAGE: <b>RA 5 of 9</b>
DRAWN: KS	

JOB 08-29



## COUNCIL POLICY

POLICY NUMBER:	G-19	DATE OF RESOLUTION:	APRIL 18, 2005
		AMENDED ON:	FEBRUARY 3, 2009
ORIGINAL BLACKCOMB LAND USE CONTRACT DEVELOPMENT APPLICATIONS			

## 1. SCOPE OF POLICY

This policy applies to all development applications for all properties subject to Blackcomb Land Use Contract G2520 ("Original LUC"). The properties subject to this land use contract are listed by property name and civic address in Schedule "1" attached. The boundaries of the Original LUC and the location of the subject properties are shown on the map provided as Schedule "2" attached.

## 2. OBJECTIVES

The principal objective of this policy is to provide clear guidance to property owners, applicants, staff, Council and the public regarding the criteria and procedures for the municipality's consideration of development applications for the properties listed in Schedule "1".

This policy also seeks to streamline the procedures for consideration of development applications considered to be of a minor nature, by delegation of Council review and approval authority to the General Manager of Planning and Development.

## 3. GUIDING PRINCIPLES

This policy has its basis in the provisions of Land Use Contract G2520 ("Original LUC"). The guiding policies are provided by the Official Community Plan and *Whistler 2020 – Moving Towards Sustainability*.

## 4. PROCEDURE

The following procedures apply to all applications for amendments to the existing approved Development Plans and restrictive covenants registering the Development Plan for all properties subject to the Original Blackcomb Land Use Contract (G2520).

- Any renovation or redevelopment that amends the registered Development Plan is subject to Council approval and is at the discretion of Council.

To evaluate any proposed amendment the municipality will use the following criteria:

- Any renovation or redevelopment must not increase the Bed Unit allocation as measured by the Official Community Plan;
- Any renovation or redevelopment must meet the B.C. Building Code;
- Any renovation or redevelopment must conform with the Development Permit Guidelines for Development Permit Area #5: Blackcomb Benchlands of the Official Community Plan;
- The maximum additional gross floor area for any renovation or redevelopment of any individual dwelling unit from that approved in the original registered Development Plan is 50 square metres for any multiple residential dwelling unit and 75 square metres for any duplex dwelling unit; and,
- The maximum additional gross floor area that may be added for each of the properties subject to the Original Blackcomb Land Use Contract, subsequent to April 18, 2005, is shown in Schedule "I", except as may be approved by Council subject to discharge of the Land Use Contract and rezoning approval.

To streamline amendments of a minor nature the municipality will pursue an amendment to Minor Development Permit Issuance Delegation Bylaw No. 1561, 2003 such that:

- Any renovation or redevelopment that results in a gross floor area addition of less than 20 square metres may be approved by the General Manager of Planning and Development.

## 5. SCHEDULES AND FORMS

Schedule "I": Properties Subject to Blackcomb Land Use Contract G2520 (Original Blackcomb LUC) and Maximum Remaining Potential Gross Floor Area by Property

Schedule "2": Map of Blackcomb Land Use Contract Areas

Certified Correct:

Signed original on file  
Shannon Story  
Corporate Officer

## Schedule "1"

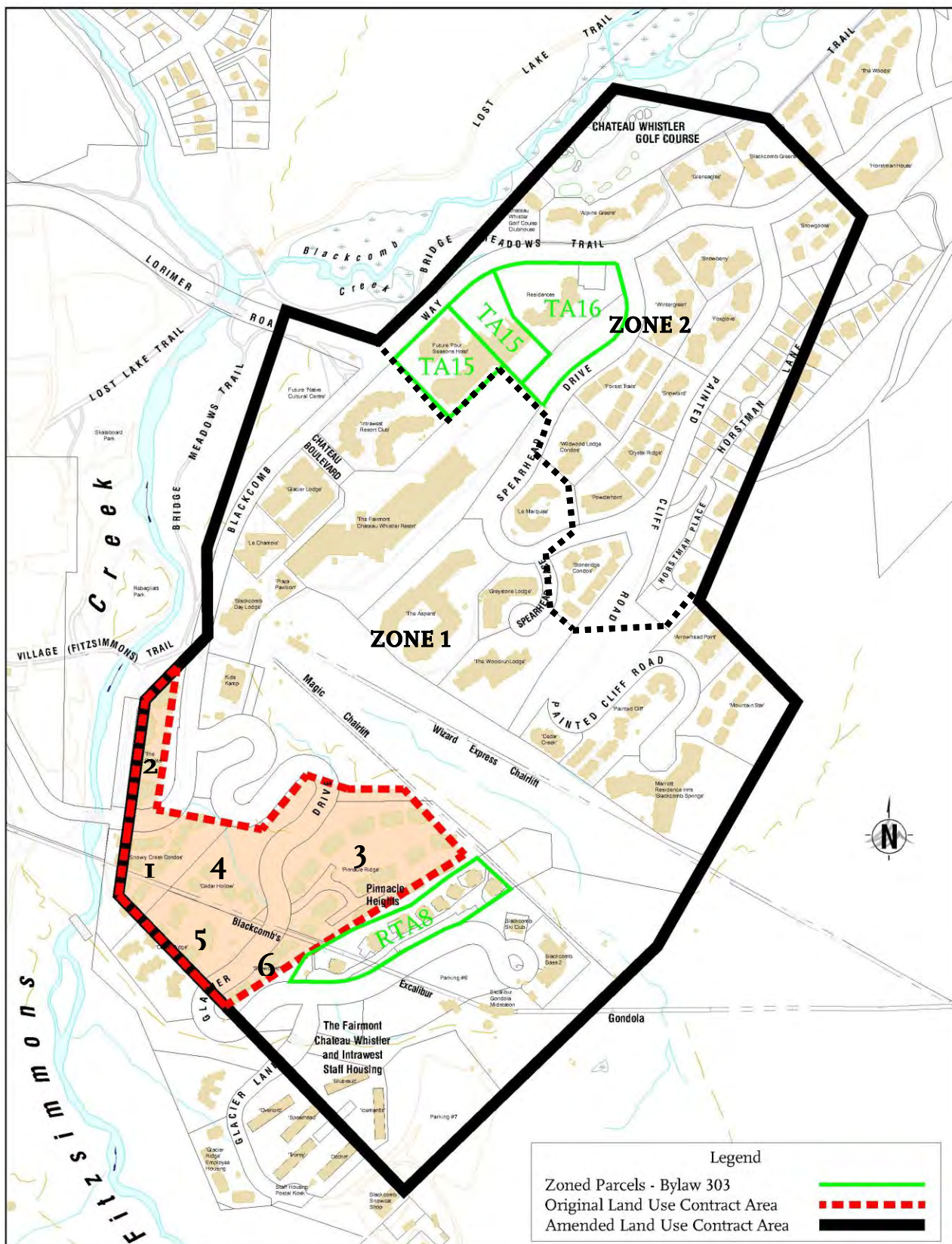
### PROPERTIES SUBJECT TO BLACKCOMB LAND USE CONTRACT G2520 (ORIGINAL BLACKCOMB LUC) AND MAXIMUM REMAINING POTENTIAL GROSS FLOOR AREA BY PROPERTY

Property	Civic Address	Original Approved Development Plan		Maximum Remaining Development Potential By Council Policy (as of April 18, 2005)	
		Permit No.	Registered Covenant	GFA (ft2)	GFA (m2)
1 Snowy Creek	4501 Blackcomb Way	BPA 4.0	R80924	2,860	266
2 The Gables	4510 Blackcomb Way	BPA 2.0	R71961	3,404	316
3 Pinnacle Ridge	4700 Glacier Drive	BPA 3.0	Phase 1 (R110352) Phase 2 (GD028334)	16,307	1,515
4 Cedar Hollow	4701 Glacier Drive	BPA 5.0	R87909	5,215	484
5 Snowcrest	4750 Glacier Drive	BPA 10.0	GB39292	889	83
6 Cedar Ridge	4705 Glacier Drive	BPA 11.0	GB38967	10,155	943

Note: Any requests to exceed the maximum remaining potential gross floor area for a property requires discharge of the Land Use Contract and a rezoning subject to Council approval.



## Schedule "2" MAP OF BLACKCOMB LAND USE CONTRACT AREAS





**KERR WOOD LEIDAL**  
consulting engineers

Greater Vancouver  
200 - 4185A Still Creek Drive  
Burnaby, BC V5C 6G9  
T 604 294 2088  
F 604 294 2090

## Technical Memorandum

**DATE:** April 23, 2012

**TO:** Bob Hole, President, Snowcrest Strata  
Trevor Reynard, Snowcrest VR2296 c/o Fox Strata Management

**CC:** Kat Sullivan, Kat Sullivan Designs

**FROM:** Stefan Joyce, P.Eng.  
Mike Currie, P.Eng.

**RE: SNOWCREST DEVELOPMENT - REZONING**  
**Drainage Review – Change Since 1987 KWL Report**  
**Our File 2947.001**

This technical memorandum provides a discussion on drainage for existing Snowcrest development on 4750 Glacier Drive to support a rezoning application. The Snowcrest development is located in a switchback section of Glacier Drive. A statutory right of way (RoW) for the gondola borders the north side of the Snowcrest development. The Pinnacle Ridge development is north of the RoW.

The Snowcrest development was constructed in 1988 and is governed by a land use contract (Strata Plan VR2296). We understand that the owner would like to discharge the property from the land use contract and rezone the site and to allow for slightly more density. We understand that the proposed works would include renovations to the existing development to provide more density, but would not modify the overall site grading and drainage and would not include new buildings, only renovations to the existing buildings.

In 1987 Kerr Wood Leidal Associates conducted a drainage analysis for the Blackcomb Benchlands Development<sup>1</sup>. As a part of the present rezoning application, KWL was asked to confirm whether there has been a substantial change from the 1987 report.

## Drainage Review

A new detailed drainage assessment has not been conducted by KWL in the preparation of this letter. This review has been limited to determine whether there has been a substantial change to the drainage impacting the Snowcrest development, and in particular whether there has been anything that might cause the drainage estimates to increase from the 1987 report. KWL reviewed some of the key assumptions/estimates of the 1987 report to consider whether there has been a change to drainage area, precipitation, or runoff properties. An overview site visit was also conducted to support the review.

<sup>1</sup> Memorandum on Blackcomb Benchlands Drainage for Lots 1 to 10, Blackcomb Skiing Enterprises, Blackcomb Benchlands Development, KWL 1987





## Drainage Area

The drainage areas from the 1987 report were compared to the 2004 Whistler Municipal Drainage Areas and Storm water Drainage system maps<sup>2</sup> and what was observed in the field. The 1987 drainage areas do not directly correspond to the present drainage in the vicinity of the Snowcrest development.

In the 1987 memo, the Snowcrest development had a total upstream drainage area of 16 ha. This included Areas 'E' and 'F' with a total of 15.1 ha (37.2 acres) discharging to a culvert under Glacier Drive just north of the RoW and Area 'D' with 0.85 ha (2.1 acres) discharging to a second culvert under Glacier Drive just south of the RoW (See enclosed Drainage Sub-Areas Figure 2 from the 1987 Memo).

The site was visited by KWL staff on July 11, 2011. There is a small stream within the RoW adjacent to the north end of the property that has a CMP swale and a 750 mm culvert at the east (upstream) end of the RoW which discharge upstream of a 600 mm culvert beneath a path which then discharges upstream of a 900 mm culvert at Glacier Drive (See enclosed marked-up Kat Sullivan Design Drawing, RA 1 of 9). At the time of the site visit, the stream was dry and overgrown, and the culverts had debris accumulation. The stream has 1.5 to 2.5 m high banks with a 1 to 2 m wide base. There was no evidence of flooding or erosion along the creek. The second culvert beneath glacier drive shown in the 1987 memo and the 2004 Whistler Stormwater Drainage System map south of the RoW was not identified. The drainage ditch and culvert trash rack on the southwest side of Glacier Drive near the ski run at the outer bend of the switchback across from the Snowcrest development was also found to have accumulated debris.

The 2004 Municipal Drainage Area that includes the Snowcrest development is BL07 with an area of 1.7 ha, which includes most of the 1987 drainage areas 'D', some of 'E', and a small amount of 'I'. The 2004 drainage area BL07 also includes the Pinnacle Ridge Development.

Since the 1987 report, drainage Area 'F' has been diverted to discharge to along Glacier Drive away from the Snowcrest development to combine with drainage areas 'G', and part of 'A' with a total of 18.99 ha (2004 Drainage Areas BL06 14.09 ha plus BL\_US\_06 4.9 ha). Consequently there is much less drainage area discharging to the Snowcrest development than in 1987.

Based on this review, much of the upstream drainage area has been diverted around the Snowcrest development, reducing total drainage area to the creek along the Snowcrest development to 1.69 ha from the original 1987 total of 16 ha. This corresponds with site review observations and anecdotal evidence from local residents who noted that the flows have substantially reduced from the creek along RoW adjacent to the Snowcrest Development since upstream drainage / road works were constructed (date unknown).

## Rainfall Intensity

At the time of the 1987 study, only 10-year return period rainfall intensity estimates were available for the area (Alta Lake Gauging station). 100-year estimates were roughly estimated as 2 times the 10-year since 100-year estimates intensity duration frequency (IDF) data were not available at the time. 10-year rainfall intensities of 15 mm/hr (0.61 in/hr) and of 21 mm/hr (0.83 in/hr) were estimated for Drainage Area 'E' (including 'F') and 'D' respectively.

<sup>2</sup> Resort Municipality of Whistler Stormwater Drainage System Inventory (Whistler Village to Green Lake), Confluence Environmental Consulting and TerraPro GPS Surveys, 2004





Based on comparison to recent 10-year rainfall intensity estimates KWL has prepared for the Whistler area (based on Whistler Station 1048898 IDF data) and estimated times of concentration for the drainage areas, the 10-year rainfall estimates from the 1987 report are considered reasonable. The recent 100-year rainfall intensity (with snowmelt) estimates are approximately 1.5 times the 10-year estimates, not two times as roughly estimated in 1987.

In summary, the 1987 rainfall intensities are reasonable for the 10-year storm and conservative for the 100-year storm.

## Runoff Properties

The Rational Method was used to estimate peak flows in the 1987 memo. The Rational Method runoff coefficients "C" were 0.4 for drainage areas 'E' and 'F' and 0.5 for drainage area 'D'. There has been some development since 1987, however these coefficients are still considered reasonable.

## Drainage Review Summary

In summary, the 1987 peak flow estimates for the stream adjacent to the Snowcrest development are considered to be very conservative, given that 1987 the runoff coefficient is considered reasonable, the rainfall intensity is reasonable to conservative, and in particular, there has been a significant reduction to the drainage area. The stream along the RoW adjacent to the Snowcrest development now drains only about 10% of the 1987 area and is likely to be dry for much of the year.

## Drainage Works Maintenance

There is a need for creek channel and culvert maintenance near the Snowcrest development. This would include:

- the removal of accumulated debris from the trash racks and culverts and the removal of excess vegetation from the creek channel in the RoW; and
- the removal of debris from upstream of the culvert trash rack and ditch on the southwest side of Glacier Drive near the ski run at the outer bend of the switchback near the ski run.

We understand that the Resort Municipality of Whistler (RMOW) is the maintenance authority for the existing drainage works and as such should be contacted regarding the need for maintenance work.

## Discussion on Flood Proofing Requirements

The Creek adjacent to the Snowcrest development would not be considered a "watercourse" according to the BC Flood Hazard Area Guidelines (May 2004) which defines "watercourse" as having a drainage area of at least 2 km<sup>2</sup> or having flow for at least 6 months per year. In the case of streams that do not meet the definition of a "watercourse", with no history of flooding and/or erosion and that are not located on a fan, the setback and flood construction level requirements are at the discretion of the Approving Officer (see 3.2.4 Requirements for Very Small Streams).

The stream adjacent to the existing Snowcrest development has a drainage area much less than 2 km<sup>2</sup> (even if the original 1987 drainage area was used), is expected to have flow for less than 6 months per year, and is not located on a fan. Since the Snowcrest development was constructed, the owners have not observed any flooding<sup>3</sup>.

<sup>3</sup> Communication with Mike Preston (owner since 1990).





Since the creek is not considered to be a “watercourse” as defined by the BC Flood Hazard Guidelines and there is no history or evidence of flooding and erosion, any flood proofing requirements would be at the discretion of the RMOW.

The 2004 guidelines (Section 4.6) mentioned above provides for an increase in floor area of less than 25%. Even though some of the existing Snowcrest development buildings will be enlarged we understand that this would be less than a 25% increase in floor area.

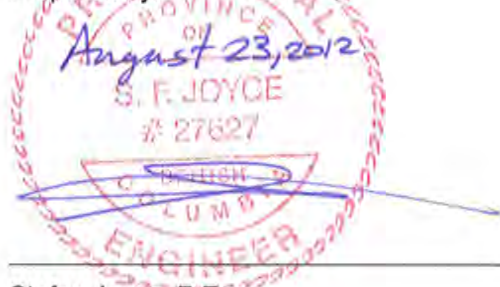
In the view of the site conditions and since the project involves only renovations of existing buildings with less than 25% increase in area, KWL recommends that there is no need for additional flood proofing measures.

## Closure

We trust that this will be satisfactory for the purposes of the rezoning application. Please contact the Stefan Joyce at 604-293-3215 if you require any further information.

### KERR WOOD LEIDAL ASSOCIATES LTD.

Prepared by:



Stefan Joyce, P.Eng.  
Hydrotechnical Engineer

SFJ/sk

Reviewed by:

Mike V. Currie, M.Eng., P.Eng.  
Senior Water Resources Engineer

Encl.

## Statement of Limitations

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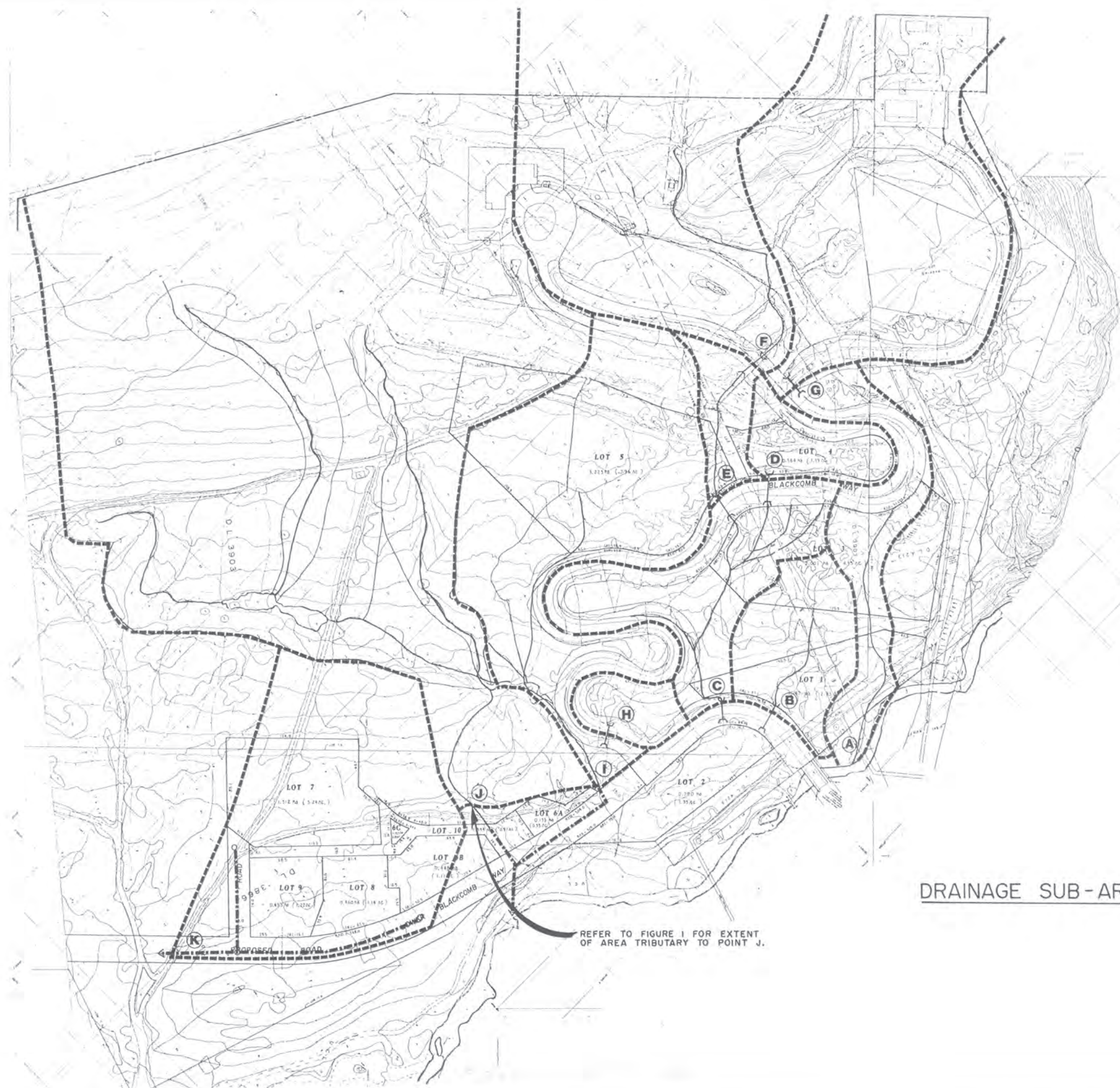
This document represents KWL's best professional judgement based on the information available at the time of its completion and as appropriate for the project scope of work. Services performed in developing the content of this document have been conducted in a manner consistent with that level and skill ordinarily exercised by members of the engineering profession currently practising under similar conditions. No warranty, express or implied, is made.

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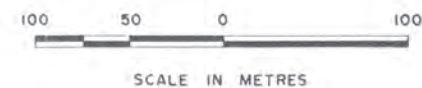
**KERR WOOD LEIDAL ASSOCIATES LTD.**  
consulting engineers





# LEGEND

- DRAINAGE BOUNDARY
- EXISTING CULVERT
- PROPOSED CULVERT OR STORM DRAIN



## DRAINAGE SUB-AREAS

FIGURE 2



900 Ø Culvert

600 Ø Culvert

CMP Swale

750 Ø Culvert



ZONING MAP



KEY PLAN

GENERAL NOTES:

1. THESE PLANS ARE PROVIDED FOR REZONING APPLICATION ONLY. THEY SHOW EXISTING CONDITIONS WITH POTENTIAL ADDITIONS FOR THE PURPOSE OF ILLUSTRATING FEASIBILITY OF ADDITIONAL DENSITY ONLY. DETAILS SUCH AS WINDOWS AND FIXTURES MAY NOT BE ILLUSTRATED.
2. LANDSCAPE AND SITE SERVICES ARE ALL EXISTING AND ARE NOT DETAILED. LANDSCAPE INCLUDES LAWN, PLANTING BEDS, SHRUBS AND MATURE TREES.
3. PARKING AND DRIVEWAY ARE ONLY SHOWN SCHEMATICALLY. DRIVEWAY IS ASPHALT WITH CONCRETE CURB. PARKING STALLS ARE IN UNITS (1 EACH) AND AS SHOWN ON SITE. SITE STALLS ARE NOT NUMBERED.
4. ORIGINAL DEVELOPMENT APPROVAL WAS GRANTED THROUGH BLACKCOMB PERMIT #10 (1998).
5. EACH UNIT OWNER WILL BE RESPONSIBLE FOR DEVELOPING DETAILED DESIGN AND CONSTRUCTION DRAWINGS, OBTAINING ALL MUNICIPAL APPROVALS FOR ANY PROPOSED RENOVATIONS AND OR ADDITIONS TO THE EXISTING BUILDINGS. DEVELOPMENT IS ANTICIPATED TO OCCUR ON A UNIT BY UNIT BASIS.

GLACIER DRIVE

SNOWCREST STRATA PLAN VR2296

EXISTING DRIVEWAY

GLACIER DRIVE

SITE PLAN

STRATA PLAN VR 2296, DL 3903 AND 4213  
4750 GLACIER DRIVE

PINNACLE RIDGE STRATA PLAN VR2065

SNOWCREST LUC  
SNOWCREST RM 14

By using this document the client agrees that the consultant is not responsible for any negligence or omission in respect of the use of the plan. The client agrees to indemnify and defend the consultant in the event of third party claims arising from negligence and or injury as a result of services rendered.

FOR REZONING APPLICATION	JUL / 11
FOR REZONING APPLICATION CONCEPT	OCT / 07
AS-BUILT LAYOUT DEV. SUMMARY	JAN 25 / 10
AREAS FOR REZONING APPLICATION	
Revisions	Date

Kat Sullivan Design

Residential Design  
Commercial Improvements  
Building Code Review

8871 Main Street, Whistler, B.C. V8N 1B8  
Phone/Fax: 732-8055 email: kat@sullivan.ca

SNOWCREST BLDG 1  
As-built Layout  
Proposed Add'n Area

4750  
GLACIER DRIVE  
Whistler

SITE PLAN

SCALE: 1:250 METRIC	PAGE: RA 1 of 9
DRAWN: KS	

ALL CONSTRUCTION TO CONFORM TO PART 9, B.C.B.C. 2006, RESIDENTIAL (C) OCCUPANCY,

208 (9-2)



### Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date June 28, 2011

#### I. Primary QEP Information

First Name	Dave Williamson	Middle Name	Floyd
Last Name	Williamson		
Designation	AScT	Company	Cascade Environmental Resource Group Ltd.
Registration #	24935	Email	<a href="mailto:dwilliamson@cerg.ca">dwilliamson@cerg.ca</a>
Address	Unit 3 – 1005 Alpha Lake Road		
City	Whistler	Postal/Zip	V0N1B1
Prov/state	BC	Country	Canada
		Phone #	604 938 1949

#### II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	Lindsay	Middle Name	
Last Name	Rear		
Designation	RPBio	Company	Cascade Environmental Resource Group Ltd.
Registration #	2159	Email	<a href="mailto:lrear@cerg.ca">lrear@cerg.ca</a>
Address	Unit 3 – 1005 Alpha Lake Road		
City	Whistler	Postal/Zip	V0N1B1
Prov/state	BC	Country	Canada
		Phone #	604 938 1949

#### III. Developer Information

First Name	Trevor	Middle Name	
Last Name	Renard		
Company	Fox Strata Management		
Phone #	604 938 3996	Email	<a href="mailto:foxmanagement@telus.net">foxmanagement@telus.net</a>
Address	PO Box 965		
City	Whistler	Postal/Zip	V0N 1B0
Prov/state	BC	Country	Canada

#### IV. Development Information

Development Type	Rezoning for future redevelopment		
Area of Development (ha)	0.63	Riparian Length (m)	63
Lot Area (ha)	0.63	Nature of Development	Rezoning for redevelopment
Proposed Start Date	July 4, 2011		Proposed End Date
			July 4, 2025

#### V. Location of Proposed Development

Street Address (or nearest town)	4750 Glacier Drive		
Local Government	Resort Municipality of Whistler	City	Whistler
Stream Name	Tributary to Fitzsimmons Creek		
Legal Description (PID)	PLAN VAS2296 LOT 1 DISTRICT LOT 3903 NEW WESTMINSTER DISTRICT GROUP 1, & DL 4213, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 OR V, AS APPROPRIATE. PID 012-392-065		Region : Lower Main land
Stream/River Type	Stream		DFO Area : Lower Fraser
Watershed Code	119-467100-97600 (Fitzsimmons Creek)		
Latitude	50	06	42.00
Longitude	122	56	51.81

***Table of Contents for Assessment Report***

	<b>Page Number</b>
1. Description of Fisheries Resources Values .....	3
2. Results of Riparian Assessment (SPEA width) .....	4
3. Site Plan .....	6
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	7
2. Windthrow.....	7
3. Slope Stability.....	7
4. Protection of Trees.....	7
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8. Floodplain .....	9
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**Section 1. Description of Fisheries Resources Values and a Description of the Development proposal**

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

This RAR application is required by the Resort Municipality of Whistler (RMOW) for rezoning purposes; no new building or development is proposed at this time. This property is presently zoned RM14 – Residential Multiple Fourteen on a small portion and the remaining majority is contained in Zone One of the Blackcomb Land Use Contract. On April 18, 2005, RMOW Council adopted a policy with the intent to limit future density of Blackcomb Land Use Contract properties. Schedule '1' of the policy lists 6 properties, including VR 2296, with a maximum remaining development potential. The policy indicates that rezoning of the property and discharge of the LUC is required for density beyond that permitted within the policy. The owners are proposing to rezone in keeping with the council policy. The proposed new zone will be site specific to allow the existing units to be modestly expanded within the existing form and character of development. Future development will be subject to a new RAR assessment and must be filed prior to issuance of a development permit.

The unnamed drainage, tributary to Fitzsimmons Creek, enters the property at the north eastern boundary and flows approximately 63 m in a north westerly direction to the Glacier Drive culvert, located just north of the subject property. The tributary eventually reaches Fitzsimmons Creek, via the RMOW stormwater system, which is fishbearing with bulltrout (*Salvelinus confluentus*), rainbow trout (*Oncorhynchus mykiss*), kokanee (*Oncorhynchus nerka*), and sculpin species. Midway through the property the drainage flows through a grass covered culvert for approximately 30 m. The tributary has an average gradient of 29%, an average channel bankfull width of 1.1 m, and a step-pool type morphology. Sections of the tributary streambed are not visible as covered with gravel debris, and both banks of the open drainage are rock armoured.

Flattened vegetation is evident on the tributary banks from overland runoff, possibly from snow stockpiling adjacent to drainage. Current riparian vegetation consists of the following: western redcedar (*Thuja plicata*), black cottonwood (*Populus trichocarpa*), red alder (*Alnus rubra*), willow sp. (*Salix* sp.), falsebox (*Pachistima myrsinites*), devil's club (*Oplopanax horridus*), red osier dogwood (*Cornus amomum*), bunchberry (*Cornus canadensis*), dandelions (*Taraxacum*), grass and moss sp., fireweed (*Epilobium angustifolium*).



## 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: June 8, 2011

Description of Water bodies involved (number, type)

Tributary to Fitzsimmons Creek

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

**Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)**

Channel Width(m)		Gradient (%)	I, <u>Dave Williamson, Cascade Environmental</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
starting point	1.7	24	
upstream	0.7		
	0.7		
	0.8	33	
	1.4		
downstream	0.9		
	1.0		
	1.4		
	1.9		
	0.9		
Total: minus high /low	11.4		
mean	1.1	29	
	R/P	C/P	S/P
Channel Type			X

### Site Potential Vegetation Type (SPVT)

	Yes	No		
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes  I, <u>Dave Williamson, Cascade Environmental</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.	
Polygon No:	n/a		Method employed if other than TR	
SPVT Type	LC	SH		TR
				X
Polygon No:			Method employed if other than TR	
SPVT Type	LC	SH		TR

FORM 1  
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Polygon No:	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>		Method employed if other than TR
SPVT Type	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>

**Zone of Sensitivity (ZOS) and resultant SPEA**

Segment No:	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons						
LWD, Bank and Channel Stability ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px; text-align: center;">10</div>							
Litter fall and insect drop ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px; text-align: center;">10</div>							
Shade ZOS (m) max	<div style="border: 1px solid black; width: 50px; height: 20px; text-align: center;">3.3</div>	South bank	Yes	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	No	<div style="border: 1px solid black; width: 50px; height: 20px; text-align: center;">X</div>		
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)							
Ditch Fish Bearing	Yes	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	No	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	If non-fish bearing insert no fish bearing status report			<div style="border: 1px solid black; width: 50px; height: 20px;"></div>
<b>SPEA maximum</b>	<div style="border: 1px solid black; width: 50px; height: 20px; text-align: center;">10</div>	(For ditch use table3-7)						

Segment No:	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>						
Litter fall and insect drop ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>						
Shade ZOS (m) max	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	South bank	Yes	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	No	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	
<b>SPEA maximum</b>	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	(For ditch use table3-7)					

Segment No:	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>						
Litter fall and insect drop ZOS (m)	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>						
Shade ZOS (m) max	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	South bank	Yes	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	No	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	
<b>SPEA maximum</b>	<div style="border: 1px solid black; width: 50px; height: 20px;"></div>	(For ditch use table3-7)					

I, Dave Williamson, Cascade Environmental, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Trevor Renard, Fox Strata Management ;
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

**Comments**

Due to the length of the unnamed tributary and a portion of the watercourse being culverted with no wetted channel, channel width measurements were spaced approximately 4 m apart. To obtain additional measurements 3 channel widths were measured downstream of Glacier Drive.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

**Section 3. Site Plan**

Insert jpg file below





**RAR Assessment - Snow Crest Strata**  
4750 Glacier Drive  
Whistler, British Columbia



#### **Section 4. Measures to Protect and Maintain the SPEA**

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	The client has not expressed concerns regarding danger trees or a need for danger tree removal. Therefore, no removal is anticipated and a danger tree assessment was not conducted.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u>;</p> <p>g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
2. Windthrow	Potential for increased windthrow arising from development on site is not a concern.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
3. Slope Stability	No indicators of slope instability or curved tree trunks were observed during the site visit.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
4. Protection of Trees	A silt/snow fencing along the SPEA boundary must be maintained throughout any construction to prevent accidental intrusion and vegetation removal within the SPEA. Any damaged areas in the SPEA following construction must be replanted with native vegetation.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

FORM 1  
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

5. Encroachment	Development will be undertaken by the individual owners of the rezoned strata units. Future development will be subject to a new fileable RAR assessment and must be filed prior to issuance of a development permit. Prevention of encroachment into the SPEA during construction can be achieved by placement of construction fence hoarding on the SPEA boundary. No intrusion or disturbance shall take place within the SPEA during construction. The setback from the surveyed highwater mark must be legally surveyed to determine fence location.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
6. Sediment and Erosion Control	<p>To prevent the loss of soil from the development area and to prevent sedimentation during construction, the following mitigation measures are recommended:</p> <ul style="list-style-type: none"> <li>• Installation and ongoing maintenance of a silt fence along the perimeter of the SPEA;</li> <li>• Covering any stockpiles soils (including topsoil, sand etc.) with plastic or geotextile;</li> <li>• Landscaping (i.e. native planting and seeding) of exposed areas immediately after the completion of development.</li> </ul>
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
7. Stormwater Management	The proposed development may result in an increase in the total impervious area of the property from surfaces such as roof tops and driveways. Minimizing the impervious area of the development (i.e. permeable driveways, maintaining greenspace and vegetated swales) will effectively decrease the stormwater impacts. As the proposed development is located outside of the SPEA and across the street from the creek, minimal impacts are anticipated.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

FORM 1  
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

8. Floodplain Concerns (highly mobile channel)	No indicators of flooding outside of the SPEA zone was observed during the site visit.
<p>I, <u>Dave Williamson, Cascade Environmental</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Trevor Renard, Fox Strata Management</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

**Section 5. Environmental Monitoring**

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

The monitoring schedule for construction development must include a site visit prior to commencement of the construction phase of the project to implement necessary measures (silt fencing, construction fencing), and to ensure the Developer is aware of the RAR obligations.

Additional site visits are required to be made by the Qualified Environmental Professional (QEP) periodically throughout construction to ensure that the measures to protect the SPEA are implemented and maintained, and that there are no construction impacts to the SPEA.

It is the responsibility of the client to notify the QEP prior to commencement of construction and upon completion of construction. The developer is responsible for hiring a QEP to submit a report to the RAR notification system after construction is completed.



**Section 6. Photos June 8, 2011**



Photo 1. View of subject property facing west, with Blackcomb Gondola on right hand side.



Photo 2. View of subject property facing west, with downstream culvert grate visible in lower righthand corner.



Photo 3. View of tributary upstream of grass covered culvert.



Photo 4. Upstream end of tributary at northeast property boundary.



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 5. Downstream view of grass covered culvert facing west.



Photo 6. Culvert at north west property boundary.



Photo 7. Tributary riparian area downstream of grass covered culvert, facing upstream.



Photo 8. Foot path on grass covered culvert facing north into adjacent residences.



## Section 7. Professional Opinion

### Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date June 28, 2011

1. I/We Dave Williamson, A.Sc.T., and Lindsay Rear, R.P.Bio.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Trevor Renard, Fox Strata Management, which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)



- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.]

**Submission Instructions**  
**Riparian Areas Regulation – Qualified Environmental Professional – Assessment Report**  
**RAR-QEP-AR**

**Forms you will need to complete are**

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: See the Guidelines and the Assessment Methods for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be complete, by submitting the information specified, and posted to provide notification to the local government, Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada.

**Tips for working with MS Word Template Forms**

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (\*.doc file)
- Do not overwrite the Template (\*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site



**RESORT MUNICIPALITY OF WHISTLER  
ZONING AND PARKING AMENDMENT BYLAW NO. 1989, 2012**

**A BYLAW TO AMEND THE WHISTLER ZONING AND PARKING BYLAW NO.303, 1983 AND  
DISCHARGE A LAND USE CONTRACT**

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

**WHEREAS** a land use contract may, under s.930 of the *Local Government Act*, be discharged by bylaw with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the discharge; and

**WHEREAS** the owners of the lands in Strata Plan VR2296 have consented in writing to the discharge of a land use contract charging those lands;

**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 (Snowcrest) No. 1989, 2012"
2. Zoning and Parking Bylaw No. 303, 1983 is amended by:
  - (a) adding "RM66" to Section 7 under the heading, "R Zones" after "UR1" and adding under the heading, "Residential Zones", the following:
 

"Residential Multiple Sixty-Six (Snowcrest) (Bylaw No. 1989, 2012)".
  - (b) amending Schedule "A" Zoning Map by changing the zoning designation of all of the lands contained in Strata Plan VR2296 to RM66 (Residential Multiple Sixty-Six) as shown in heavy black outline and identified on the plan annexed to this Bylaw as Schedule "1".
  - (c) adding to Section 12 in numerical order the Zoning District Schedule "RM66" as annexed to this Bylaw as Schedule "2".
  - (d) by amending Section 23, Schedule "A", "Legend of Zones", by adding under the heading, "Residential Zones" the following in appropriate order:
 

"Residential Multiple Sixty-Six (RM66)"
3. That certain land use contract registered in the Vancouver Land Title Office under No. G2520 on January 11, 1979, as subsequently modified under No. BA411345, is discharged from the lands described in Section 2(b), and the Corporate Officer shall register a certified copy of this bylaw in the Land Title Office in accordance with the *Land Title Act* and Section 930(10) of the *Local Government Act*.
4. If any section or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

Given first and second reading this \_\_ day of \_\_\_\_\_, \_\_\_\_.

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

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

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

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

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

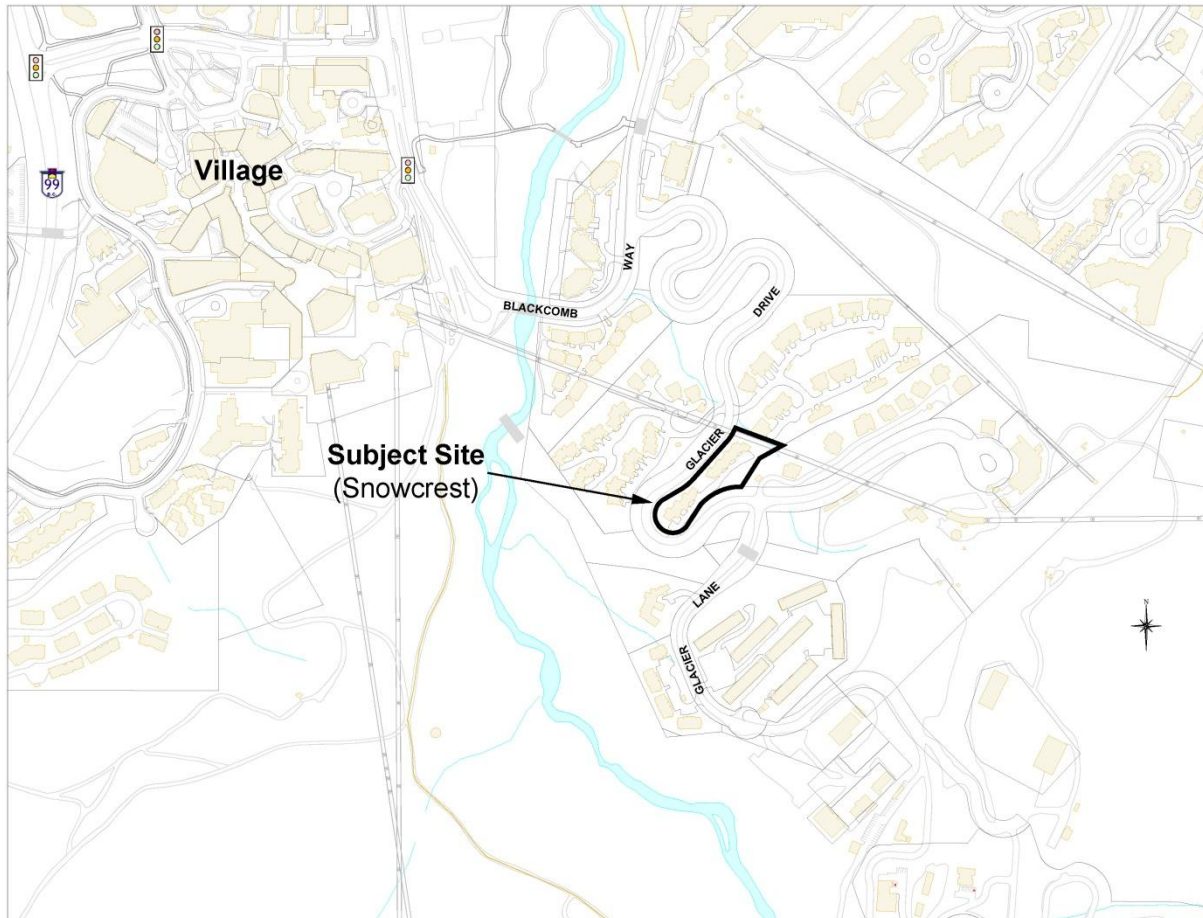
\_\_\_\_\_  
Lonny Miller,  
Corporate Officer

I HEREBY CERTIFY that this is a true  
copy of "Zoning Amendment Bylaw  
(Snowcrest) No. 1989, 2012"

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



**SCHEDULE 1**  
**4750 Glacier Dr. – Snowcrest (Strata Plan VR2296)**  
**to be zoned RM66 (Residential Multiple Sixty-six)**



**SCHEDULE 2**

RM66  
SNOWCREST

**RM66 Zone (Residential Multiple Sixty-Six) (Bylaw No. 1989, 2012)****Intent**

The intent of this zone is to provide for medium-density residential development adjacent to other residential developments.

68 In the RM66 Zone:

**Permitted Uses**

68.1 The following uses are permitted, and all other uses are prohibited:

- (a) auxiliary buildings and auxiliary uses;
- (b) ski lift facilities;
- (c) tourist accommodation in townhouses; and
- (d) townhouse.

**Density**

68.2.1 The maximum permitted gross floor area for the RM66 zone is 2,518 square metres.

68.2.2 The maximum permitted gross floor area for each strata lot is shown in the following table:

<b>Strata Lots</b>	<b>Maximum Gross Floor Area (m<sup>2</sup>) per unit</b>
1, 4, and 7	362.3
2, 5, and 6	348.5
3	385.6
<b>Total GFA</b>	<b>2518</b>

and for the purpose of measuring the gross floor area of a strata lot:



- (a) the area of a floor of a portion of a building comprising a strata lot that shares a wall with another strata lot shall be measured to a point that is midway between the outer surfaces of the wall; and
- (b) a strata lot shall be deemed to include any area of limited common property designated on the strata plan for the exclusive use of the owner of the strata lot under the *Strata Property Act*, and any area of common property otherwise designated for such exclusive use whether by lease, easement or otherwise.

### **Height**

68.3.1 The maximum permitted height of a townhouse is 13.7 m.

68.3.2 The maximum permitted height of an auxiliary building or structure is 5 m.

### **Site Coverage**

68.4 The maximum permitted site coverage is 35%.

### **Setbacks**

68.5.1 The minimum permitted setback from the northeast parcel boundary is 12 metres.

68.5.2 The minimum permitted setback for a townhouse from all other parcel boundaries is 6 metres.

68.5.3 The minimum permitted setback for an auxiliary building for the enclosure of garbage and recycling containers is 1.5m from all parcel boundaries and any such structure must be located adjacent to a driveway providing access to the parcel on which the structure is located.

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

68.6 Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Section 6 of this Bylaw.

### **Other Regulations**

68.7.1 The minimum permitted separation between principal buildings is 21 metres.

68.7.2 The maximum number of dwelling units in the RM66 zone shall be 7.

**REVISED**  
**TABLE 2 TO ADMINISTRATIVE REPORT 12-054**  
 “4750 Glacier Drive – Discharge of Land Use Contract and Rezoning”

Distributed to Council on May 1, 2012 at Regular Meeting.

TABLE 2 – Comparison of Existing and Proposed Dwelling Unit floor area sizes

<b>Building and Unit</b>	<b>Existing Total Floor Areas (sq.m)</b>	<b>Proposed New Floor Area (sq.m)</b>	<b>Proposed New Total Floor Areas (sq.m)</b>	<b>Proposed % increase in floor area over existing</b>
<b>BUILDING 1</b>				
Unit 1	246.1	116.2	362.3	47.2%
Unit 2	263.9	84.6	348.5	32.1%
Unit 3	305.7	79.9	385.6	26.1%
<b>BUILDING 2</b>				
Unit 4	269.4	92.9	362.3	34.5%
Unit 5	250.4	98.1	348.5	39.2%
Unit 6	265.2	83.3	348.5	31.4%
Unit 7	270.8	91.5	362.3	33.8%
Overall Totals	1,871.4	646.5	2,518	34.6%

Hughes and encouraged the rest of council to get involved.

Councillor J. Faulkner reported on activities of the Forest and Wildland Advisory Committee and initiatives this year, which will include investment into fixing roads, the parking lot, and signage for the Ancient Cedars trail, and a pit toilet will be installed at Loggers Lake. He expressed concern from the committee about provincial funding being cut for the FireSmart program, which focusses on wildfire prevention in interface areas.

Councillor A. Janyk acknowledged the achievement of the Whistler Mountain Ski Club this season and recognized the Mike and Manny Camp, which sponsors 16 ski racers for four days in Whistler.

### ADMINISTRATIVE REPORTS

DP 1169 – Araxi  
Restaurant Patio  
Report No. 12-050  
File No. DP 1169

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

**That** Council approve Development Permit Application No. 1169 for upgrades to the Araxi patio per the plans prepared by Bricault Design dated April 11, 2012 and included in Appendix B, subject to the resolution of the following items all to the satisfaction of the General Manager of Resort Experience:

1. Execution of a new patio license and encroachment agreement;
2. Submission of a cost estimate for the hard and soft landscaping and, if required, provision of a letter of credit or other approved security, in the amount of 135 percent of the costs of the landscape and paving works;
3. Strata approval;
4. Adherence to the Whistler Village Construction Management Strategy;
5. Finalization of the architectural and landscape plans and details to address the items specified in the letter attached as Appendix C; and further

**That** Council authorizes the directors of the Whistler Village Land Co. Ltd. to execute the above referenced agreement.

CARRIED

4750 Glacier Drive –  
Discharge of Land Use  
Contract and Rezoning  
Report No. 12-054  
File No. RZ1052

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

**That** Council amend “Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012” Schedule 2, section 68.7.1 to change the minimum permitted separation between principal building from 21 metres to 17 metres;

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012” as amended;

**That** Council authorize the Corporate Officer to schedule a public hearing regarding “Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012” and to advertise for same in the local newspapers;

**That** Council receives the revised copy of Table 2 for Administrative Report No. 12-054; and further,

**That** Council stipulate that any consideration of the adoption of “Zoning

Amendment Bylaw (Snowcrest) No. 1989, 2012" is subject to the following conditions:

- a) Submission by the applicant's lawyer that a S219 Covenant will be developed with staff and registered at the Land Titles Office that the site will be developed in accordance with the approved drawings prepared by Kat Sullivan Design, revised date July 10, 2011, the recommendations of Kerr Wood Leidal engineering study dated August 17, 2011, and the recommendations of the Cascade Environmental study dated June 28, 2011;
- b) Confirming payment of all application processing fees; and
- c) Written confirmation from all strata lot owners within Strata Plan VR2296, consenting to the discharge of the Land Use contract G2520 from their properties.

**CARRIED**

Rezoning for 8110 Crazy  
Canuck Drive – Lot 1  
Service Station and  
Convenience Store  
Report No. 12-053  
File No. RZ1033

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

**That** Council consider giving third reading to Zoning Amendment Bylaw (8110 Crazy Canuck Drive) No. 1981, 2011.

**That** Council direct staff to advise the applicant that any consideration of the adoption of Zoning Amendment Bylaw (8110 Crazy Canuck Drive) No. 1981, 2011 will be subject to the following conditions being completed to the satisfaction of the General Manager of Resort Experience:

1. Submission of a Section 219 Covenant that requires the following:
  - a. A building design for the construction of the development generally in accordance with the concept drawings prepared by Ankenman Marchand Architects received in July 2011 and included as part of Appendix "A" to this report, with the convenience store constructed into the hillside and utilizing a green roof technology to reduce the visual impact of the larger store;
  - b. A gas pump canopy design with exterior lighting designed, installed and operated to minimize light spillage beyond the property for the purpose of reducing interference with nocturnal views of the sky from all vantage points on adjacent Rainbow residential and commercial properties;
  - c. Written verification that any equipment for the refrigeration of food or beverage items is the most energy-efficient commercially available equipment of the applicable type, and in no event shall such equipment use single-pass cooling technology;
  - d. Development to conform to RMOW Green Building Policy;
  - e. A detailed landscape plan that includes a landscape buffer that is of adequate width and vegetative planting to effectively screen the development from Highway 99 along the entire parcel frontage facing Highway 99; and
  - f. Submission from the service station operator of their alternative

Advisory Design Panel      Moved by Councillor J. Grills  
Seconded by Councillor J. Faulkner

**That** the minutes of the January 2, 2012, meeting of the Advisory Design Panel.  
CARRIED

Emergency Planning Committee      Moved by Councillor R. McCarthy  
Seconded by Councillor A. Janyk

**That** the minutes of the April 2, 2012, meeting of the Emergency Planning Committee.  
CARRIED

### **BYLAW FOR FIRST AND SECOND READING**

Zoning Amendment      Moved by Councillor D. Jackson  
Bylaw (Snowcrest) No.      Seconded by Councillor R. McCarthy  
1989, 2012

**That** Zoning Amendment Bylaw (Snowcrest) No. 1989, 2012 receive first and second readings as amended.  
CARRIED

Zoning Amendment      Moved by Councillor J. Crompton  
Bylaw (IL2 Zone - Indoor Recreation Uses) No.      Seconded by Councillor J. Grills  
1995, 2012

**That** Zoning Amendment Bylaw (IL2 Zone - Indoor Recreation Uses) No. 1995, 2012 receive first and second readings.  
CARRIED

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

Five-Year Financial Plan      Moved by Councillor D. Jackson  
2012-2016 Bylaw No.      Seconded by Councillor A. Janyk  
1999, 2012

**That** Five-Year Financial Plan 2012-2016 Bylaw No. 1999, 2012 receive first, second and third readings.  
CARRIED

Tax Rate Bylaw No. 1996,      Moved by Councillor J. Grills  
2012      Seconded by Councillor J. Crompton

**That** Tax Rate Bylaw No. 1996, 2012 receive first, second and third readings.  
CARRIED

Sewer Tax Bylaw No.      Moved by Councillor R. McCarthy  
1997, 2012      Seconded by Councillor A. Janyk

**That** Sewer Tax Bylaw No. 1997, 2012 receive first, second and third readings.  
CARRIED