



WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, DECEMBER 7, 2010 STARTING AT 6:00 PM**

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

The Public Hearing is convened pursuant to Section 890 of the *Local Government Act* R.S.B.C. 1996, c. 323 to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010" (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 (Alpenglow Lodge
Assembly Use) No. 1954,
2010

PURPOSE OF ZONING AMENDMENT BYLAW (ALPENGLow LODGE ASSEMBLY USE) NO. 1954, 2010:

In general terms, the purpose of the proposed Bylaw is to amend the LA2 (Lodge Accommodation Two) Zone to remove the assembly use requirements for the Alpenglow Lodge.

Explanation

Explanation by Municipal staff concerning the proposed Bylaw.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

Submissions

Submissions by any persons concerning the proposed Bylaw.

ADJOURNMENT



THE RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, BC Canada V0N 1B4
www.whistler.ca

TEL 604 932 5535
TF 1 866 932 5535
FAX 604 932 8109

NOTICE OF PUBLIC HEARING

ZONING AMENDMENT BYLAW (ALPENGLOW LODGE ASSEMBLY USE) NO. 1954, 2010

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 (Alpenglow Lodge Assembly Use) No. 1954, 2010" (the "proposed Bylaw") in the Franz Wilhelmssen Theatre at Maurice Young Millennium Place, 4335 Blackcomb Way, Whistler, British Columbia commencing at 6:00 p.m., December 7, 2010.

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.

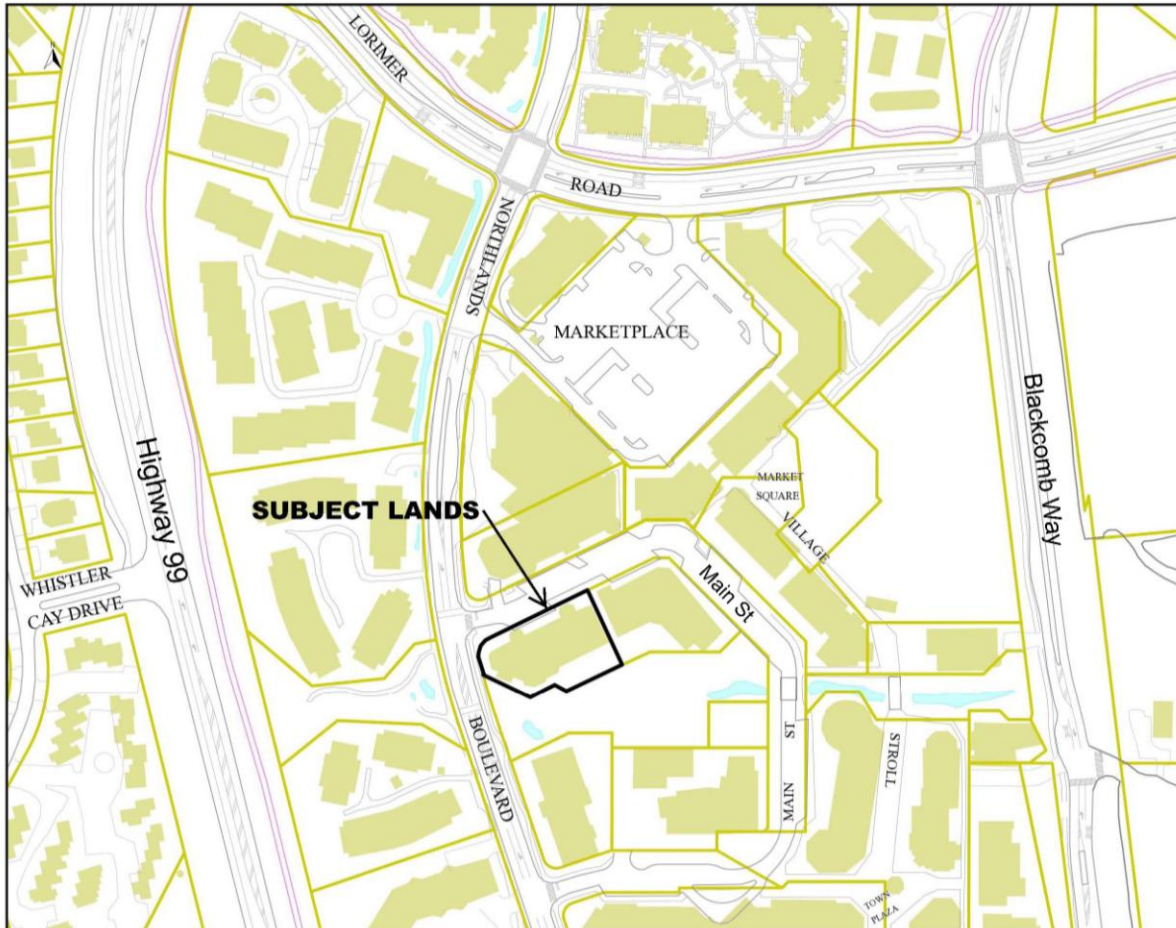
SUBJECT LANDS: The lands, which are the subject of the proposed Bylaw, are located at 4369 Main Street – (Alpenglow Lodge). More specifically these lands are described as Strata Plan LMS 2818 as shown outlined in bold on the map attached.

PURPOSE OF "ZONING AMENDMENT BYLAW (Alpenglow Lodge Assembly Use) No. 1954, 2010": In general terms, the purpose of the proposed Bylaw is to amend the LA2 (Lodge Accommodation Two) Zone to remove the assembly use requirements for the Alpenglow Lodge.

AND FURTHER TAKE NOTICE that a copy of the aforementioned "Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010" 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 November 25, 2010 to December 7, 2010 (inclusive) (statutory holidays excluded).

Laurie-Anne Schimek
Acting Corporate Officer

Subject Lands – 4369 Main Street - Bylaw 1954, 2010



RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (ALPENGLOW LODGE ASSEMBLY USE) NO. 1954, 2010

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

WHEREAS the Council may, in a zoning bylaw pursuant to Sections 903 and 906 of the *Local Government Act*, R.S.B.C. 1996, c.323 (the “Act”), divide all or part of the area of the Municipality into zones, define each zone, and regulate the use of land, buildings and structures within the zones, and require the provision of parking spaces and loading spaces for uses, buildings and structures;

NOW THEREFORE the 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 (Alpenglow Lodge Assembly Use) No. 1954, 2010”.
2. The lands that are the subject of this Bylaw are those lands situated in the Resort Municipality of Whistler legally described as Strata Plan LMS 2818, District Lots 7310 and 5275 Group 1 New Westminster District, shown outlined in heavy black on the sketch plan attached as Schedule A to this Bylaw.
3. The LA2 Zone, as found in the Resort Municipality of Whistler Zoning and Parking Bylaw 303, 1983 is hereby amended as follows:
 - a) Section 13.5 is inserted as follows:

“Other Regulations

13.5 In this zone the Assembly Auxiliary Use Requirement in Column III of Table 5A of the Section 5 General Regulations of this zoning bylaw shall be specified as Not Required for the permitted Hotel, Lodge and Inn uses.”

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

GIVEN FIRST READING this ____ day of _____, ____.

GIVEN SECOND READING this ____ day of _____, ____.

PURSUANT to section 890 of the Local Government Act, a Public Hearing as 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 _____.

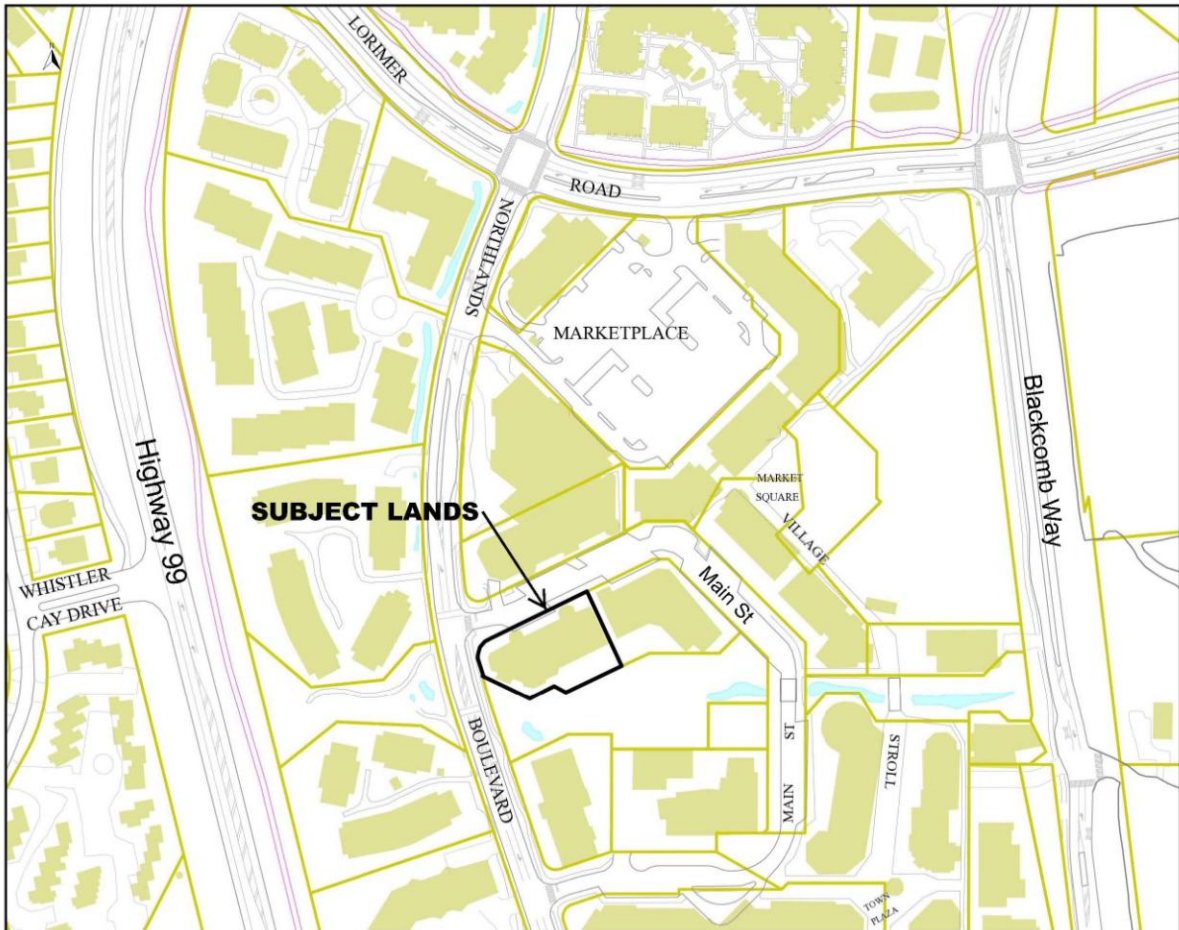
Ken Melamed,
Mayor

Laurie-Anne Schimek
Acting Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010"

Laurie-Anne Schimek
Acting Corporate Officer

SCHEDULE "A"





WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: November 2, 2010

REPORT: IO - III

FROM: Resort Planning

FILE: RZ001040

SUBJECT: ALPENGLOW LODGE ASSEMBLY USE ZONING AMENDMENT BYLAW

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER:

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

RECOMMENDATION

That Council consider giving first and second readings to Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010, to amend the LA2 Zone to remove the assembly use requirements for the Alpenglow Lodge property; and further

That Council authorize the Corporate Officer to schedule a Public Hearing for consideration of Alpenglow Lodge Assembly Use) No. 1954, 2010 and to advertise for same.

REFERENCE

Location: 4369 Main Street
Legal Description: Strata Plan LMS 2818
Zoning: LA2 (Lodge Accommodation Two) Zone
Appendices: "A" Location Map

PURPOSE OF REPORT

This report presents a zoning amendment bylaw that seeks to remove the assembly use requirement for the Alpenglow Lodge property, which would allow the existing conference rooms (Strata Lot 98) to be used for other commercial uses permitted under the LA2 zone, including office use.

DISCUSSION

Background

The municipality received a business license application for a proposed office use to be located in Strata Lot 98 of the Alpenglow Lodge property. This application was denied as this space fulfills the assembly use requirement for the Alpenglow Lodge property under the municipality's zoning regulations. If the business license had been approved the property would no longer be in conformance with the assembly use requirement.

The zoning regulation requiring assembly space for all hotel, lodge and inn uses ensures that these uses provide the amenities and services that are typically associated and expected for these types of premises. The assembly use requirement provides for meeting rooms and conference rooms to be located within these premises.

To allow the proposed office use for Strata Lot 98 requires an amendment to the assembly use requirement for the property. This zoning amendment is being brought forward for Council consideration.

Proposed Zoning Amendment Bylaw

Zoning Amendment Bylaw (Alpenglow Assembly Use) No. 1954, 2010 has been prepared to remove the assembly use requirement for the Alpenglow Lodge property. The LA2 zone is amended by adding the following provision under a new section Other Regulations:

“In this zone the Assembly Auxiliary Use Requirement in Column III of Table 5A of the Section 5 General Regulations of this zoning bylaw shall be specified as Not Required for the permitted Hotel, Lodge and Inn uses.”

With this requirement removed from the property, Strata Lot 98 will be able to be used for office use as proposed under the previous business license application.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses.	The proposed zoning change would allow space within the building that had previously been committed to conference room use, to be repurposed for office use.
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	The owner of the conference room space previously leased this space for this use for the benefit of the property. There has been no interest to release this space for this use and the use is not considered to be essential for this property. The change in zoning would allow an economically beneficial use of this space.
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves us away from	Mitigation Strategies and Comments
Economic	Whistler's core accommodation base and long-term investments made in the community are protected.	The proposed zoning amendment would allow a change of use for the conference rooms for this property. These meeting rooms are not considered to be essential for supporting the accommodation base for this property.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw 303

The LA2 zone has a density restriction that specifies the allocation of the maximum gross floor area between residential (accommodation) and non-residential uses. As per Section 16.2 of the municipality's zoning bylaw, the previous conference room use (assembly) was deemed to be non-residential use. This is the same designation as for the proposed office use. Thus the proposed office use would continue to meet the density restrictions of the zone and the allocation between residential and non-residential uses.

A change in use of Strata Lot 98 from assembly use to the proposed office use would not result in any additional parking space requirements. Under the municipality's zoning and parking bylaw the required parking for assembly use is 4 spaces per 100 square metres of gross floor area, whereas the requirement for office use is 3 spaces per 100 square metres of gross floor area.

Official Community Plan

Whistler's Official Community Plan (OCP) outlines specific criteria for review with respect to rezoning applications. The proposed rezoning meets these criteria. The OCP development permit requirements and guidelines do not apply as there are no changes to the exterior form and character of the development.

BUDGET CONSIDERATIONS

This rezoning is being initiated by the municipality. Associated costs for staff time, public notice requirements and legal have not been anticipated but will be provided for by the Resort Planning Department operating budget.

COMMUNITY ENGAGEMENT AND CONSULTATION

The proposed zoning amendment bylaw is subject to a public hearing adhering to statutory public notice requirements. This report recommends Council consider giving first and second reading to the bylaw, and authorize the public hearing be scheduled and advertised.

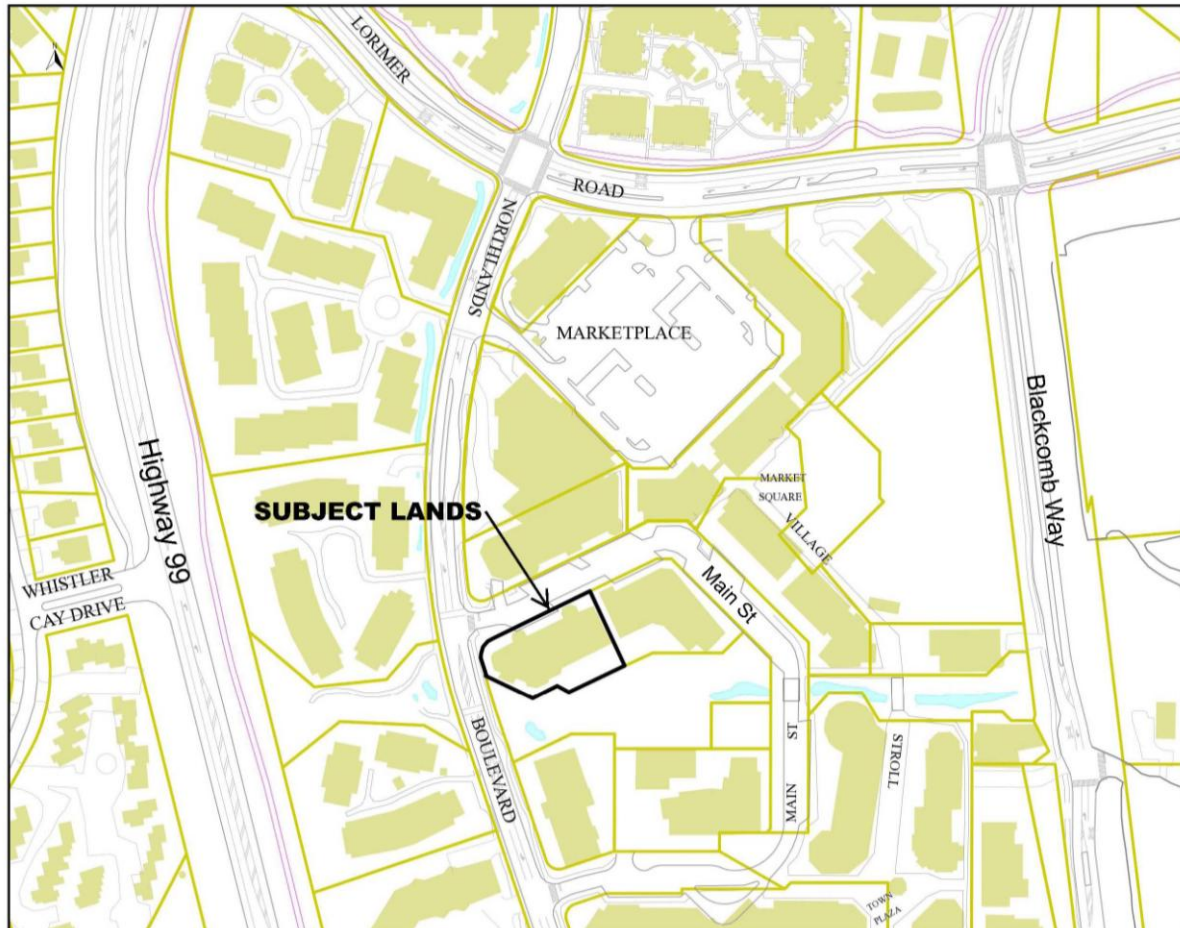
SUMMARY

This report presents Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010 for Council consideration of first and second reading and recommends the public hearing be authorized.

Respectfully submitted,

Mike Kirkegaard
MANAGER RESORT PLANNING
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

APPENDIX "A"





MINUTES

WHISTLER

REGULAR MEETING OF MUNICIPAL COUNCIL
TUESDAY, NOVEMBER 2, 2010, STARTING AT 5:30 PM

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

PRESENT:

Mayor K. Melamed

Councillors: R. Forsyth, G. Lamont, T. Milner, C. Quinlan, T. Thomson,
E. Zeidler

Chief Administrative Officer, B. Barratt
Acting General Manager of Community Life, B. Brown
General Manager of Environmental Services, H. Kim
General Manager of Resort Experience, J. Jansen
General Manager of Economic Viability, L. Landry
General Manager of Policy and Program Development, M. Vance
Manager of Resort Planning, M. Kirkegaard
Acting Corporate Officer, L. Schimek
Planner, R. Brennan
Community Engagement Strategist, K. Damaskie
Transit Demand Management Coordinator, E. DalSanto
Whistler Centre for Sustainability, D. Wilson
Acting Manager of Communications, M. Darou
Communications Officer, J. Waring
Firefighter/Inspector, B. Buchholz
Recording Secretary, A. Winkle

APPROVAL OF AGENDA

Moved by Councillor T. Thomson
Seconded by Councillor C. Quinlan

That Council approve of the Regular Council agenda of November 2, 2010 with the addition of a Notice of Motion by Councillor C. Quinlan under Other Business.

CARRIED

ADOPTION OF MINUTES

Moved by Councillor C. Quinlan
Seconded by Councillor T. Milner

That Council adopt the Regular Council minutes of October 19, 2010.

CARRIED

PUBLIC QUESTION AND ANSWER PERIOD

Dave Buzzard, 9295 Emerald Drive, asked about talk of the municipality purchasing Whistler Blackcomb shares.

Mayor Melamed responded no, that Council has discussed it on rare occasions and not in great length and there is no support on Council to move in that direction.

Mr. Buzzard asked about a federal grant for the iShift program, and if it was granted to the municipality or directly to the Whistler Centre for Sustainability.

Mayor Melamed responded that his understanding was they went after the grant to provide services that are of value to the community. He commented that Council does not run the Centre for Sustainability, and suggested that Mr. Buzzard contact them directly for the financial implications of how they are proposing to run the program.

PRESENTATIONS/DELEGATIONS

Spring 2011 BC Transit
Service

A presentation was given by Johann van Schaik, Regional Transit Manager, BC Transit, regarding proposals for Spring 2011 Service.

A Public Hearing was held at 6:00 p.m.

Whistler Health Care
Centre Helipad

A presentation was given by Larry Harder, Director of Capital Projects for Vancouver Coastal Health, regarding the Whistler Health Care Centre Helipad.

Remembrance Day
Services

A presentation was given by Brian Buchholz, Whistler Remembrance Day Chair, regarding the 2010 Whistler Remembrance Day Services.

MAYOR'S REPORT

Mayor Melamed reported that Artrageous will be taking place at Dusty's on November 11th, and Cornucopia will be taking place November 11th – 14th.

Mayor Melamed reported that the Ministry of Transportation has provided an update on the Highway 99 repaving project. He reported that there are approximately two days of paving left for the main driving lanes and one to two more days to complete the intersections and driveways. The work is weather dependent. All of the roadside barriers that have been removed are being replaced this week, and traffic island replacement is expected to be completed within the next two weeks. Delays in the project so far have been due to the weather. The project is now expected to be completed mid-November.

Mayor Melamed reported on his trip to Ottawa to the annual forum of the Assistant Deputy Ministers, where three projects were the focus of this session; how the Federal Government dealt with H1N1, emergency response to Haiti, and the success of the Olympic and Paralympic Winter Games in Vancouver and Whistler. He commented on the legacies that remain for Canadian athletes and the Federal commitment to training for Canadian athletes.

Mayor Melamed reported that a public open house was held for the Fitzsimmons Fan to look at the conflicting uses of the area and the options for protecting the critical habitat for more than 30 birds species. He reported that there will be a

follow-up action plan developed as part of the consultation.

Mayor Melamed reported that the date for Whistler OCP review workshops in Whistler have changed from November 4th to November 24th, and there is one on November 10th for second homeowners residing in the Greater Vancouver area. The workshops, entitled, "Our Community. Our Plan," will provide an opportunity for community members to weigh in on proposed directions for Whistler. He encouraged people to visit the whistler2010.com website.

INFORMATION REPORTS

2009 Whistler2020
Monitoring Report
Report No. 10-109
File No. 10500

Moved by Councillor G. Lamont
Seconded by Councillor T. Thomson

That Council receive the 2009 Whistler2020 Monitoring Report.

CARRIED

ADMINISTRATIVE REPORTS

Consultation During
Official Community
Plan Update
Report No. 10-110
File No. 10600

Moved by Councillor R. Forsyth
Seconded by Councillor T. Milner

That Council endorses consultation during the development of the Official Community Plan (OCP) update as outlined in this report, Administrative Report 10-110, and as required under Section 879 of the *Local Government Act*.

CARRIED

7:31 pm Councillor T. Milner left the meeting.

Alpenglow Lodge
Assembly Use Zoning
Amendment Bylaw
Report No. 10-111
File No. RZ001040

Moved by Councillor C. Quinlan
Seconded by Councillor G. Lamont

That Council consider giving first and second readings to Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010, to amend the LA2 Zone to remove the assembly use requirements for the Alpenglow Lodge property; and further,

That Council authorize the Corporate Officer to schedule a Public Hearing for consideration of Alpenglow Lodge Assembly Use) No. 1954, 2010 and to advertise for same.

CARRIED

7:34 p.m. Councillor T. Milner returned.

Whistler Olympic
Plaza Pavilion
Development Permit
Report No. 10-112
File No. DP 1165

Moved by Councillor T. Thomson
Seconded by Councillor R. Forsyth

That Council approve Development Permit Application No. 1165 for the Whistler Olympic Plaza Pavilion in accordance with the Architectural drawings prepared by Murdoch & Company (A Company (A1.2 /1.3/1.4/2.1/2.2/3.1/3.2/3.3/3.5/3.6/3.7 & Material board Dated July 21 / 2010); and further

That Council approve a variance to Section 6 4.1.1 of "Zoning and Parking Bylaw 303, 1983" to allow the parking requirement of 24 spaces to be met off-site in the municipally owned Parking Lot 4.

CARRIED

Whistler Olympic
Plaza – Phase 2B
Tender Award
Report No. 10-113
File No. 8200.05.11

Moved by Councillor T. Milner
Seconded by Councillor C. Quinlan

That Council award the tender for the construction of Whistler Olympic Plaza Pavilion Structural Steel and Roofs Contract No. 04-09 to Colony Management Inc. for the amount of \$1,362,544.00 (excluding taxes).

CARRIED

MINUTES OF COMMITTEES AND COMMISSIONS

Advisory Design Panel

Moved by Councillor E. Zeidler
Seconded by Councillor G. Lamont

That the Advisory Design Panel minutes of July 21, 2010 be received.

CARRIED

BYLAWS FOR FIRST AND SECOND READING

Zoning Amendment
Bylaw (Alpenglow Lodge
Assembly Use) No. 1954,
2010

Moved by Councillor T. Thomson
Seconded by Councillor R. Forsyth

That Zoning Amendment Bylaw (Alpenglow Lodge Assembly Use) No. 1954, 2010 receive first and second readings.

CARRIED

BYLAWS FOR THIRD READING

Zoning Amendment
Bylaw (Baxter Creek) No.
1953, 2010

Moved by Councillor C. Quinlan
Seconded by Councillor T. Milner

That Zoning Amendment Bylaw (Baxter Creek) No. 1953, 2010 receive third readings.

CARRIED

OTHER BUSINESS

Notice of Motion

That Council direct staff to bring forward a resident parking pass program for the day lots for implementation by December 15, 2010.

Bylaw Officer
Appointment

Moved by Councillor E. Zeidler
Seconded by Councillor G. Lamont

That the Council of the Resort Municipality of Whistler (“Whistler”) wishes to appoint Lindsay DeBou as a Bylaw Enforcement Officer pursuant to Section 36 of the Police Act, R.S.B.C. 1996, c.367; and upon Lindsay DeBou swearing the oath before the Corporate Officer (a Commissioner for taking Affidavits). Whistler hereby appoints Lindsay DeBou as a Bylaw Enforcement Officer, to perform the functions and duties specified in the Parking Enforcement Officer’s job description, which forms Schedule “B” attached to Bylaw Enforcement Officer Appointment Bylaw No. 1808, 2007. Lindsay DeBou shall be appointed for term that Lindsay DeBou is employed in the capacity of a Bylaw Enforcement Officer.

CARRIED

CORRESPONDENCE

2010 UBCM
Convention
File No. 2014.34

Moved by Councillor T. Thomson
Seconded by Councillor G. Lamont

That correspondence from Barbara Steele, President of the Union of British Columbia Municipalities (UBCM), regarding the 2010 UBCM Convention be received.

CARRIED

Jill Ackhurst Social
Action Fund
File No. 8265

Moved by Councillor C. Quinlan
Seconded by Councillor T. Milner

That correspondence the Whistler Healthy Communities Committee endorsement of the Whistler Community Services Society's (WCSS) grant application for funding under the Jill Ackhurst Social Action Fund for a youth cultural exchange between Mount Currie and Whistler be received and a letter of support be drafted.

CARRIED

Rainbow Subdivision
Rock Stack Wall
File No. DP1083-D

Moved by Councillor R. Forsyth
Seconded by Councillor T. Milner

That correspondence from Tim Regan, Vision Pacific Contracting Ltd., regarding construction of the rock stack walls on the Rainbow site for 8481 Bear Paw Trail (SL59) and 8485 Bear Paw Trail (SL60) be received and referred to staff.

CARRIED

Asphalt Zoning
File No. 1025

Moved by Councillor G. Lamont
Seconded by Councillor E. Zeidler

That correspondence from Karen McKibbin regarding asphalt zoning be received.

CARRIED

Asphalt Plant
File No. RZ. 1025

Moved by Councillor R. Forsyth
Seconded by Councillor T. Milner

That correspondence from Jacqui Lawrence regarding fumes from the asphalt plant be received.

CARRIED

Gas Tax Agreement
Regionally Significant
Projects Fund
File No. 2014

Moved by Councillor T. Milner
Seconded by Councillor C. Quinlan

That correspondence from Barbara Steele, President of the Union of British Columbia Municipalities (UBCM), regarding funding for regionally significant projects (RSPs) within Tier 2 regions be received and referred to staff.

CARRIED

ADJOURNMENT

Moved by Councillor T. Milner

That Council adjourn the November 2, 2010 Council meeting at 8:00 p.m.

CARRIED

MAYOR: K. Melamed

ACTING CORPORATE OFFICER: L. Schimek