



**RESORT MUNICIPALITY OF WHISTLER**

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## STAFF REPORT TO COUNCIL

**PRESENTED:** December 7, 2021 **REPORT:** 21-132  
**FROM:** Department - Planning **FILE:** RZ001144  
**SUBJECT:** RZ001144 – OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW (2077 GARIBALDI WAY) NO. 2290, 2021 REPORT

### RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

### RECOMMENDATION(S)

**That** Council receive this Information Report to Council No. 21-132.

### PURPOSE OF REPORT

The purpose of this report is to provide additional information to Council on statutory requirements applicable to official community plan (OCP) amendments, as it relates to “Official Community Plan Amendment Bylaw (2077 Garibaldi Way) No. 2290, 2021” (Bylaw No. 2290).

Information Report  Administrative Report (Decision or Direction)

### DISCUSSION

#### Background

On October 20, 2020, Council authorized the preparation of an Official Community Plan (OCP) amendment bylaw for RZ001144 to amend OCP Schedule A for the lands at 2077 Garibaldi Way to permit the rezoning of the land for an employee housing and market townhouse residential development. On November 16, 2021, Council gave first and second readings to Bylaw No. 2290 and directed staff to schedule a public hearing on the proposed bylaw and the related zoning amendment bylaw. This report provides additional information to Council on statutory requirements applicable to OCP amendments.

#### Consultation

The *Local Government Act* (s. 475) requires Council to consider, during the amendment of an OCP, whether the municipality ought to consult on the amendment with persons, organizations or authorities that might be affected, and specifically whether it ought to consult with the board of the Squamish Lillooet Regional District (SLRD), first nations, a board of education, or the provincial and federal

governments and their agencies, and if so whether opportunities for consultation should be early and ongoing. The existence and extent of any consultation processes would clearly depend on the scope of the proposed amendment, which in the case of Bylaw No. 2290 is limited to addressing a mapping error in the 2018 OCP.

Staff's October 20, 2020 report to Council, regarding the need to amend OCP mapping to accommodate this project, addressed consultation with Lil'Wat Nation and Squamish Nation; and indicated that a sign describing the details of the related rezoning application was posted on the property at 2077 Garibaldi Way. Staff have given further consideration to the requirements of s. 475 of the *Local Government Act* and have determined that Bylaw No. 2290 does not affect the interests of the SLRD or any federal or provincial government department or agency such that any consultation is required with those entities, or with any other persons, organizations or authorities, apart from the consultation described in the October 20, 2020 report.

In addition to the reference to boards of education in s. 475 of the *Local Government Act*, s. 476 specifically requires Council to consult with the School District at the time of amending the OCP, seeking its input on specific matters related to demand on school facilities. Staff have referred proposed Bylaw No. 2290, 2021 to the School District #48 and School District #48 has advised that it has no objections to this change and no further comments at this time.

### **Financial Plan**

After first reading of an OCP amendment bylaw, s. 477 of the *Local Government Act* requires Council to consider the amendment in conjunction with its financial plan. Staff have reviewed Bylaw No. 2290 in relation to "Five-Year Financial Plan 2021-2025 Bylaw No. 2306, 2021" and have determined that the Bylaw No. 2290 raises no financial issues.

### **Waste Management Plans**

After first reading, Council must also consider Bylaw No. 2290 in relation to the Resort Municipality of Whistler (RMOW)'s Liquid Waste Management Plan and the SLRD's Solid Waste and Resource Management Plan. The development contemplated by Bylaw No. 2290 and the related zoning amendment bylaw is limited in scale and raises no issues with either of these waste management plans.

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## **POLICY CONSIDERATIONS**

### **Relevant Council Authority/Previous Decisions**

Council's authority to consider and adopt an official community plan bylaw is established in the *Local Government Act*.

Previous Council decisions related to Bylaw No. 2290 are listed below:

[November 16, 2021: Administrative Report No. 21-128](#) – 2077 Garibaldi Way OCP and Zoning Amendment Bylaws for Employee and Market Housing

[October 20, 2020: Administrative Report No. 20-105](#) - RZ1144 – 2077 Garibaldi Way OCP Mapping Amendment

### **Corporate Plan**

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

### **Council Focus Areas**

Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

Not Applicable

### **Community Vision and Official Community Plan**

The OCP is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

A review of the relevant objectives and policies of the OCP were provided in the November 16, 2021 Administrative Report No. 21-128.

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## **BUDGET CONSIDERATIONS**

Staff have reviewed Bylaw No. 2290 in relation to “Five-Year Financial Plan 2021-2025 Bylaw No. 2306, 2021” and have determined that it raises no financial issues.

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## **LIL’WAT NATION & SQUAMISH NATION CONSIDERATIONS**

The RMOW is committed to working with the Lil’wat People, known in their language as *L’il’wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler’s resort economy. This section identifies areas where RMOW activities intersect with these relationships.

The results of the consultation with Lil'Wat Nation and Squamish Nation on Bylaw No. 2290 were provided in the November 16, 2021 Administrative Report No. 21-128.

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## COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform     Consult     Involve     Collaborate     Empower

Comment(s):

Community engagement on Bylaw No. 2290 was described in the November 16, 2021 Administrative Report No. 21-128.

“Official Community Plan Amendment Bylaw (2077 Garibaldi Way) No. 2290, 2021” will be subject to a public hearing adhering to statutory public notice requirements prior to Council consideration of third reading.

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## REFERENCES

None.

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## SUMMARY

This report provides additional information to Council on statutory requirements applicable to OCP amendments, as it relates to “Official Community Plan Amendment Bylaw (2077 Garibaldi Way) No. 2290, 2021”.

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## SIGN-OFFS

### Written by:

Melissa Laidlaw,  
Manager of Development Planning

### Reviewed by:

Mike Kirkegaard,  
Director of Planning

Jessie Gresley-Jones,  
General Manager of Resort Experience

Virginia Cullen,  
Chief Administrative Officer