



**REGULAR MEETING OF MUNICIPAL COUNCIL
MINUTES**

Tuesday, June 21, 2022, 5:30 p.m.
Franz Wilhelmsen Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V8E 0X5

PRESENT: Mayor J. Crompton
Councillor A. De Jong
Councillor J. Ford
Councillor R. Forsyth
Councillor J. Grills
Councillor D. Jackson

ABSENT: Councillor C. Jewett

STAFF PRESENT: Chief Administrative Officer, V. Cullen
General Manager of Corporate and Community Services, T. Battiston
General Manager of Infrastructure Services, J. Hallisey
Acting General Manager of Resort Experience, M. Kirkegaard
Director of Finance, C. Price
Director of Human Resources, D. Wood
Manager of Legislative Services/ Corporate Officer, P. Lysaght
Manager of Planning, C. Beaubien
Manager of Planning, M. Laidlaw
Manager of Parks Planning, M. Pardoe
Manager of Protective Services, L. DeBou
Acting Manager of Communications, J. Brooksbank
Planner, B. McCrady
Planner, J. Rees
Council Coordinator, M. Miklea

OTHERS: Whistler Tennis Association, Robert LeBlanc
True Patriot Love Foundation, Nick Booth

1. CALL TO ORDER

Mayor J. Crompton recognized the Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lil'wat People, known in their language as Liłwat7úl, and the Squamish People, known in their language as Skwxwú7mesh. We respect and commit to a deep consideration of their history, culture, stewardship and voice.

2. ADOPTION OF AGENDA

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council adopt the Regular Council Meeting agenda of June 21, 2022 with the following amendments:

- Addition of item 11.1 – Rescinding Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022
- Addition of 12.3 and 12.4 in BYLAWS FOR THIRD READING
 - Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022 as revised.
 - Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022, as revised.
- Revision of items 13.2 and 13.5 in BYLAWS FOR ADOPTION:
 - Land Use Contract Termination Bylaw (Vale) No. 2309, 2021, as revised.
 - Land Use Contract Termination Bylaw (Blackcomb Mountain) No. 2350, 2022, as revised
- Deletion of 13.4 Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022

CARRIED

3. ADOPTION OF MINUTES

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council adopt the Regular Council Meeting minutes of June 7, 2022; and

That Council adopt the Public Hearing minutes of Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022 of June 8, 2022, as revised to include updated language in the submissions by the public.

CARRIED

4. PRESENTATIONS AND DELEGATIONS

4.1 Whistler Tennis Association

A presentation was given by Robert LeBlanc, regarding tennis in Whistler.

4.2 Invictus Games

A presentation was given by Nick Booth, regarding the 2025 Invictus Games to be hosted in Whistler.

4.3 Resort Municipality of Whistler (RMOW) 2022 Corporate Plan and 2021 Annual Report

A presentation was given by Chief Administrative Officer, Ginny Cullen, regarding the RMOW 2022 Corporate Plan and 2021 Annual Report.

5. PUBLIC QUESTION AND ANSWER PERIOD

Questions asked in person.

Sheila Waterman, 3112 Panorama Ridge

Ms. Waterman asked if Council decides which areas in Whistler are subject to pay parking.

Mayor J. Crompton advised this was decided years ago between the RMOW and Whistler Blackcomb, there is a partnership for the day lots at the base of Blackcomb.

General Manager Corporate and Community Services, T. Battiston added there are many privately managed parking lots in town.

Ms. Waterman asked how she should communicate to staff and Council that the parking in Brio is filled with people who are going to the bike park and looking for free parking.

Mayor J. Crompton offered to speak with Ms. Waterman about this issue.

Brendan Greene, 5205 Jordan Lane

Mr. Greene asked if RMOW's cybersecurity insurance covered the RMOW's litigation against the *Pique Newsmagazine*.

Mayor J. Crompton advised he does not have this information and it is not public at this time.

Mr. Greene asked regarding the figure of over \$28,000 reported in the 2021 financial statements represents the cybersecurity insurance deductible or the cost of the legal action.

Mayor J. Crompton advised he cannot comment on that.

Mr. Greene asked if the decision to sue the *Pique Newsmagazine* was made on behalf of the insurance corporation or at the recommendation of staff.

Chief Administrative Officer, V. Cullen advised the RMOW had the support of the insurance company regarding the litigation action.

Mr. Greene asked who initiated the decision to undertake legal action.

Chief Administrative Officer, V. Cullen advised this is not public information.

Mr. Greene asked why RMOW chose to sue the *Pique Newsmagazine* and not other news agencies.

Mayor J. Crompton advised was a difficult decision to make and it was done to protect the personal information of RMOW staff.

6. MAYOR'S REPORT

Mayor Crompton provided an update on activities happening within the community.

7. INFORMATION REPORTS

7.1 First Quarter Financial Report 2022 No. 22-086 File No. 4530

Moved By Councillor R. Forsyth

Seconded By Councillor A. De Jong

That Council receive Information Report No. 22-086 - Quarterly Financial Report for the quarter ended March 31, 2022.

CARRIED

8. ADMINISTRATIVE REPORTS

8.1 CM000149 – 4909 Horstman Place – Covenant Modification Report No. 22-087 File No. CM000149

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council approve the modification of Covenant GC125596 for 4909 Horstman Place to permit modifications to the existing footprint envelope specified in the covenant, in accordance with Plans A-1.00, A-1.01, A-1.03, A-2.00, A-2.01, A-2.02, A-3.00, A-4.00, A-10.00 dated April 5, 2022 all prepared by Measured Architecture and attached as Appendix B to this Administrative Report No. 22-087 subject to receipt of a landscape plan meeting the High Risk Area Wildfire Protection Guidelines of Whistler's Official Community Plan to the satisfaction of the General Manager of Resort Experience.

CARRIED

8.2 Noise Regulation Bylaw No. 2362, 2022 Report No. 22-088 File No. 4700

Councillor D. Jackson declared a conflict and left the Meeting at 6:37 p.m.

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council consider giving first, second and third readings to "Noise Regulation Bylaw No. 2362, 2022".

CARRIED

8.3 2021 Statement of Financial Information Report No. 22-089 File No. 4350

Councillor D. Jackson re-joined the Meeting at 6:38 p.m.

Moved By Councillor J. Grills

Seconded By Councillor J. Ford

That Council approve the 2021 Statement of Financial Information attached as Appendix A to Administrative Report No. 22-089.

CARRIED

8.4 UBCM Grant Application – Alpha Lake Projects Report No. 22-090 File No. 1855-20

Moved By Councillor J. Grills

Seconded By Councillor A. De Jong

That Council endorse and authorize staff to submit an application to the Union of British Columbia Municipalities (UBCM) Strategic Priorities Fund for a grant to develop four interrelated park, Valley Trail, and municipal infrastructure elements on the lands adjacent to Alpha Lake, as described in the UBCM Strategic Priorities Fund Program Guide attached as Appendix A to Administrative Report 22-090; and if successful, direct staff to provide overall grant management in accordance with the UBCM's grant requirements.

CARRIED

8.5 Return To Transit Update And Transit Loyalty Program Report No. 22-091 File No. 529

Moved By Councillor J. Ford

Seconded By Councillor R. Forsyth

That Council direct staff to implement a Return to Transit Loyalty Program which includes an initial limited period of free transit until September 5, 2022, across the entire Whistler Transit System followed by a targeted sale of long-term transit passes for use in Whistler as outlined in this Administrative Report 22-091.

CARRIED

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council direct staff to formally request BC Transit and the Ministry of Transportation and Infrastructure allocate a portion of their share of the Whistler Transit System operational cost savings directly related to the Unifor Local 114 transit job action toward:

1. Implementing the Return to Transit Loyalty Program described in this Administrative Report 22-091;
2. Compensate the Resort Municipality of Whistler (RMOW) for missed fare box revenue during the transit strike; and
3. Provide a lease holiday to the RMOW equivalent to the duration of the transit strike.

CARRIED

8.6 Reallocation Of Transit Service Hours Report No. 22-092 File No. 536

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council direct staff to notify BC Transit that the Resort Municipality of Whistler wishes to re-allocate approximately 550 annual transit service hours from the Lost Lake shuttle service to other transit routes, and to include the Lost Lake shuttle service with the contract to provide the Rainbow Park shuttle service in summer 2022.

CARRIED

8.7 UBCM Extreme Heat Risk Mapping, Assessment, And Planning Grant Report No. 22-093 File No. 1855-20

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council endorse and support the grant application to the Union of B.C. Municipalities', for the Extreme Heat Response Risk Assessment and Planning Project under the Extreme Heat Risk Mapping, Assessment, and Planning funding stream to a maximum of \$30,000 as described in Appendix A to this Administrative Report 22-093; and if successful, support the Resort Municipality of Whistler's Emergency Planning department providing overall grant management; and further

That Council support the addition of a new project to the Five Year Financial Plan to track and accommodate the spending, and direct staff to bring forward a future amendment to the Five Year Financial Plan for Council consideration, if successful.

CARRIED

Councillors J. Grills and R. Forsyth declared conflicts and left the Meeting at 7:31 p.m.

8.8 Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022 – Report No. 22-094 File No. LUC00023

Moved By Councillor J. Ford

Seconded By Councillor D. Jackson

That Council consider giving third reading to "Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022"; and further

That Council consider adopting "Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022" as permitted under section 480 of the *Local Government Act*.

CARRIED

Councillors J. Grills and R. Forsyth re-joined the Meeting at 7:47 p.m.

Acting General Manager of Resort Experience, M. Kirkegaard left at 7:47 p.m.

Mayor J. Crompton left the Meeting and appointed Acting Mayor R. Forsyth to chair the Meeting at 7:48 p.m.

Mayor J. Crompton re-joined and resumed chairing the Meeting at 7:52 p.m.

8.9 RZ001157 - Public Hearing Summary And Third Reading Consideration For “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020” And “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020” Report No. 22-095 File No. RZ001157

Moved By Councillor J. Grills

Seconded By Councillor R. Forsyth

That Council consider giving third reading to “Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020”, as revised;

That Council consider revising “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020” as described in Administrative Report No. 22-095;

That Council consider giving third reading to “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as revised; and further

That the tourist accommodation units to be constructed at 5298 Alta Lake Road be designated as Resort Lands by notation on title to the satisfaction of the General Manager of Resort Experience and consistent with Council Policy G-12: Resort Lands Designation, prior to adoption of “Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020”, as revised.

CARRIED

Mayor J. Crompton declared a recess at 8:15 p.m.

Mayor J. Crompton called the Meeting back to order at 8:20 p.m.

8.10 RZ001157 – Housing Agreement Bylaw (5298 Alta Lake Road) No. 2329, 2022 Report No. 22-096 File No. RZ001157

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council consider giving first, second and third readings to “Housing Agreement Bylaw (5298 Alta Lake Road) No. 2329, 2022”.

CARRIED

Acting General Manager Resort Experience, M. Kirkegaard returned to the Meeting at 8:32 p.m.

8.11 Council Remuneration Review Report No. 22-097 File No. 1920-20

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council consider the results of the remuneration review for Council members effective January 1, 2023.

CARRIED

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

That Council direct staff to remove the \$10,000 reduction in the salary of the Mayor that was approved by Council resolution on Dec 7, 2011; such change to take effect on Jan 1, 2023.

CARRIED

9. MINUTES OF COMMITTEES AND COMMISSIONS

9.1 Recreation Leisure Advisory Committee

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council receive the Regular Meeting minutes of the Recreation Leisure Advisory Committee of March 10, 2022.

CARRIED

9.2 Accessibility and Inclusion Committee

Moved By Councillor J. Ford

Seconded By Councillor A. De Jong

That Council receive the Regular Meeting minutes of the Accessibility and Inclusion Committee of May 4, 2022.

CARRIED

9.3 Forest Wildland Advisory Committee

Moved By Councillor A. De Jong

Seconded By Councillor J. Ford

That Council receive the Regular Meeting minutes of the Forest Wildland Advisory Committee of May 11, 2022.

CARRIED

9.4 Whistler Bear Advisory Committee

Moved By Councillor A. De Jong

Seconded By Councillor J. Grills

That Council receive the Regular Meeting minutes of the Whistler Bear Advisory Committee of May 11, 2022.

CARRIED

9.5 Advisory Design Panel

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council receive the Regular Meeting minutes of the Advisory Design Panel of May 18, 2022.

CARRIED

10. BYLAWS FOR FIRST, SECOND AND THIRD READINGS

10.1 Housing Agreement Bylaw (5298 Alta Lake Road) No. 2329, 2022

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council give "Housing Agreement Bylaw (5298 Alta Lake Road) No. 2329, 2022" first, second and third readings.

CARRIED

10.2 Noise Regulation Bylaw No. 2362, 2022

Moved By Councillor A. De Jong

Seconded By Councillor J. Ford

That Council give "Noise Regulation Bylaw No. 2362, 2022" first, second and third readings.

CARRIED

11. BYLAWS FOR RESCINDING THIRD READING

11.1 Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

That Council rescind third reading for "Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022".

CARRIED

12. BYLAWS FOR THIRD READING

12.1 Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council give "Official Community Plan Amendment Bylaw (5298 Alta Lake Road) No. 2289, 2020", as revised, third reading.

CARRIED

12.2 Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020

Moved By Councillor J. Ford

Seconded By Councillor A. De Jong

That Council give "Zoning Amendment Bylaw (5298 Alta Lake Road) No. 2283, 2020", as revised, third reading.

CARRIED

12.3 Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022

Moved By Councillor J. Grills

Seconded By Councillor R. Forsyth

That Council give "Land Use Contract Termination Bylaw (1200 Alta Lake Road) No. 2347, 2022", as revised, third reading.

CARRIED

Councillors J. Grills and R. Forsyth declared conflicts and left the Meeting at 8:51 p.m.

12.4 Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022

Moved By Councillor D. Jackson

Seconded By Councillor J. Ford

That Council give "Land Use Contract Termination Bylaw (Blackcomb Commercial) No. 2351, 2022" third reading as revised.

CARRIED

Councillors J. Grills and R. Forsyth re-joined the Meeting at 8:52 p.m.

13. BYLAWS FOR ADOPTION

13.1 Zoning Amendment and Land Use Contract Discharge Bylaw (4700 Glacier Drive) No. 2322, 2021

Moved By Councillor J. Ford

Seconded By Councillor D. Jackson

That Council adopt "Zoning Amendment and Land Use Contract Discharge Bylaw (4700 Glacier Drive) No. 2322, 2021", as revised.

CARRIED

13.2 Land Use Contract Termination Bylaw (Vale) No. 2309, 2021

Councillor R. Forsyth declared a conflict and left the Meeting at 8:52 p.m.

Moved By Councillor D. Jackson

Seconded By Councillor J. Ford

That Council adopt "Land Use Contract Termination Bylaw (Vale) No. 2309, 2021", as revised.

CARRIED

13.3 Land Use Contract Termination Bylaw (Blackcomb Multi-family) No. 2344, 2022

Councillor R. Forsyth re-joined the Meeting at 8:53 p.m.

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

That Council adopt "Land Use Contract Termination Bylaw (Blackcomb Multi-family) No. 2344, 2022".

CARRIED

Councillor J. Grills declared a conflict and left the Meeting at 8:53 p.m.

13.4 Land Use Contract Termination Bylaw (Blackcomb Mountain) No. 2350, 2022

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

That Council adopt "Land Use Contract Termination Bylaw (Blackcomb Mountain) No. 2350, 2022", as revised.

CARRIED

Councillor J. Grills re-joined the Meeting at 8:53 p.m.

14. CORRESPONDENCE

14.1 Federal Support of Rural Communities File No. 3009

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council receive correspondence from Ms. S. Stubbs, M.P., Mr. D. Kurek, M.P. and Mr. J. Gourde, M.P., regarding federal support of rural communities.

CARRIED

14.2 Sea-to-Sky Corridor Transit Strike File No. 3009

Moved By Councillor A. De Jong

Seconded By Councillor J. Ford

That Council receive correspondence from A. Cray regarding the Sea-to-Sky Corridor transit strike.

CARRIED

14.3 Nicklaus North FireSmart Improvements File No. 3009

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council receive correspondence from the Englewood Strata Council regarding Nicklaus North FireSmart Improvements and refer it to staff.

CARRIED

14.4 Leadership and Valor in the Profession Award File No. 3009

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council receive correspondence from S. Zamzow regarding Licence Inspectors' and Bylaw Officers' Association of British Columbia (LIBOA) Leadership and Valor in the Profession Award.

CARRIED

14.5 Climate Engineering File No. 3009

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council receive correspondence from the Concerned Citizens of Saskatchewan regarding climate engineering.

CARRIED

14.6 Passivehouse Canada Training File No. 3009

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council receive correspondence from E. Dearden regarding Passivehouse Canada training.

CARRIED

14.7 4500 Northlands Boulevard File No. 3009

Moved By Councillor D. Jackson

Seconded By Councillor R. Forsyth

That Council receive correspondence from the following individuals regarding 4500 Northlands Boulevard and refer them to staff:

- C. Susini;
- J. Lowe;
- G. Sanderson; and
- S. Zuliani.

CARRIED

14.8 Speeding Vehicles in Creekside File No. 3009

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council receive correspondence from M. and M. Artiss regarding speeding vehicles in Creekside and refer it to staff.

CARRIED

14.9 Light-up and Proclamation Requests

a. Slovenian Statehood Day File No. 3009.1

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council receive correspondence from Dr. M. Rudolf, refer it to staff and that the Fitzsimmons Covered Bridge be lit white, blue and red on June 25, 2022, in celebration of Slovenian Statehood Day.

CARRIED

b. World Fragile X Day File No. 3009.1

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council receive correspondence from J. Clark, refer it to staff and that the Fitzsimmons Covered Bridge be lit teal on July 22, 2022, in support of those living with Fragile X Syndrome.

CARRIED

c. Food Day Canada File No. 3009.1

Moved By Councillor R. Forsyth

Seconded By Councillor D. Jackson

That Council receive correspondence from J. Agnew, refer it to staff and that the Fitzsimmons Covered Bridge be lit red and white on July 30, 2022, in support of Canadian gardeners, farmers, foragers, ranchers, hunters, fishers, aboriginal gatherers as well as brewers, vintners, and restaurants and their chefs.

CARRIED

d. Arthritis Awareness Month File No. 3009.1

Moved By Councillor A. De Jong

Seconded By Councillor J. Grills

That Council receive correspondence from J. Noordermeer, refer it to staff and that the Fitzsimmons Covered Bridge be lit blue on September 1, 2022, in support of Annual Arthritis Awareness Month.

CARRIED

15. TERMINATION

Moved By Councillor J. Ford

Seconded By Councillor R. Forsyth

That Council terminate the Regular Council Meeting of June 21, 2022 at 8:56 p.m.

CARRIED

Mayor, J. Crompton

Corporate Officer, P. Lysaght