



**REGULAR MEETING OF MUNICIPAL COUNCIL
RESORT MUNICIPALITY OF WHISTLER
MINUTES**

Tuesday, April 9, 2024, 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. Morden
Councillor J. Murl

ABSENT: Councillor C. Jewett

STAFF PRESENT: Chief Administrative Officer, V. Cullen
General Manager of Infrastructure Services, J. Hallisey
General Manager of Climate Action, Planning and Development
Services, D. Mikkelsen
Acting General Manager of Community Engagement and Cultural
Services, B. Andrea
Acting General Manager of Corporate Services and Public Safety, L.
DeBou
Director of Planning, M. Kirkegaard
Director of Planning, M. Laidlaw
Chief Financial Officer, C. Price
Manager of Legislative Services/ Corporate Officer, P. Lysaght
Manager of Climate and Environment, L. Burhenne
Planner, J. Rees
Legal Special Projects, B. Vagelatos
Senior Communications Officer, E. Marriner
Senior Communications Officer, J. Montague
Council Coordinator, P. Mendieta

OTHERS: Whistler Blackcomb's Chief Operating Officer, B. Trembath

1. CALL TO ORDER

Mayor J. Crompton recognized the Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lílwat People, known in their language as Lílwat7úl, 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 A. De Jong

Seconded By Councillor R. Forsyth

That Council adopt the Regular Council Meeting agenda of April 9, 2024.

CARRIED

3. ADOPTION OF MINUTES

Moved By Councillor J. Murl

Seconded By Councillor J. Morden

That Council adopt the Regular Council Meeting minutes of March 19, 2024.

CARRIED

4. PRESENTATIONS AND DELEGATIONS

4.1 Whistler Blackcomb Update

A presentation was given by B. Trembath, Whistler Blackcomb's Chief Operating Officer, regarding Blackcomb's 2023-2024 winter operations.

5. PUBLIC COMMENT AND QUESTION PERIOD

Heike Stippler

Ms. Stippler expressed concern about the “Outdoor Potable Water Usage Bylaw No. 2428, 2024” (Bylaw) and its potential impact on the landscaping industry in Whistler.

Ms. Stippler asked Council whether the Bylaw takes effect May 1, 2024, no matter the water levels in the reservoir which was confirmed by J. Hallisey, General Manager of Infrastructure Services.

Ms. Stippler asked whether staff considered limiting watering time compared to water volume. She suggested that when soil is dry it requires a higher volume of water due to run off from dry soil. Mayor J. Crompton noted that the staff report regarding the Bylaw explained considerations in drafting the Bylaw and used a best management approach.

Ms. Stippler noted the importance of monitoring the critical home ignition zones to prevent fires caused by not watering them and whether permitting this activity should be allowed in the Bylaw. J. Hallisey noted that the Resort Municipality of Whistler is restricted in ways that they would be able to enforce the Bylaw which is in part why staff chose time restrictions. It is further standard practice across the Province. As for using potable water for wildfire protection, residents are permitted certain hours each week to water critical home ignition zones but the RMOW does not have the water volume to ensure the forest interface zones are kept wet with potable water.

Ms. Stippler suggested implementing exceptions for audited irrigation systems that support a 50 per cent reduction in water use. She requested a review and consultation with the industry and stakeholders to conserve water and understand climate change's effects on water use.

Edgar Dearden

Mr. Dearden addressed the staff report regarding the Provincial Housing Legislation Update on Bill 44 Small-Scale Multi-Unit Housing. He noted that staff should consider the floor area limits in the new legislation to allow for more density. Mr. Dearden also suggested that staff should investigate the Provincial Policy Manual & Site Standards' setbacks, building height, and parking requirements to create more energy-efficient, low-carbon, generally affordable buildings.

Mayor J. Crompton acknowledged that there are many decisions to be made on this matter and that there is still much to consider before any final decisions are reached.

6. MAYOR'S REPORT

Mayor and Council provided an update on activities happening within the community.

7. INFORMATION REPORTS

7.1 2023 Fourth Quarter Financial Report No. 24-035 File No. 4530

Moved By Councillor J. Morden

Seconded By Councillor J. Murl

That Council receive Information Report No. 24-035 – Quarterly Financial Report for the period ended December 31, 2023.

CARRIED

8. ADMINISTRATIVE REPORTS

8.1 UBCM Community Emergency Preparedness Fund Application – Strategic Climate Risk and Resilience Assessment Report No. 24-036 File No. 1855-20-0541

Moved By Councillor J. Murl

Seconded By Councillor J. Ford

That Council endorse and authorize staff to apply to the Union of BC Municipalities' Community Emergency Preparedness Fund (CEPF) to prepare a strategic climate risk and resilience assessment for the Resort Municipality of Whistler; and if successful, direct staff to provide overall grant management in accordance with the CEPF grant's requirements.

CARRIED

8.2 Zoning Amendment Bylaw (1000 Alpha Lake Road) No. 2436, 2024 and DP001961 – 1000 Alpha Lake Road - Report No. 24-037 File No. 3060-20-1961/3360-20-1184

Moved By Councillor J. Murl

Seconded By Councillor J. Ford

That Council consider giving first, second and third readings to “Zoning Amendment Bylaw (1000 Alpha Lake Road) No. 2436, 2024” (Proposed Bylaw); and

That Council receive Development Permit DP001961 (DP001961) and direct staff to bring DP001961 back to Council for consideration for approval and issuance at a future meeting when the Proposed Bylaw is presented for adoption.

CARRIED

8.3 Terms of Reference for Three New Select Committees of Council Report No. 24-038 File No. 0540-01

Moved By Councillor A. De Jong

Seconded By Councillor J. Ford

That Council approve and endorse the Climate Action and Environment Select Committee of Council (Climate Committee) Terms of Reference as attached as Appendix A to Administrative Report No. 24-038, as amended to increase the permanent membership by adding a fifth member at large;

That Council approve and endorse the Housing and Strategy Select Committee of Council (Housing and Strategy Committee) Terms of Reference attached as Appendix B to Administrative Report No. 24-038; and

That Council approve and endorse the Smart Tourism Select Committee of Council (Smart Tourism Committee) Terms of Reference as attached as Appendix C to Administrative Report No. 24-038, as amended to:

- Add an additional element to the Smart Tourism Terms of Reference to provide input and recommendations on the ongoing use of parks and recreation infrastructure;
- Add a representative from Arts Whistler as a permanent voting member; and
- Increase the membership from three to four members at large; and further

That Council direct staff to initiate recruitment of committee members for the Climate, Housing and Strategy and Smart Tourism Committees.

CARRIED

Mayor, J. Crompton declared a recess at 6:52 p.m.

Mayor, J. Crompton called the Meeting back to order 7:00 p.m.

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Morden

That Council direct staff to amend the proposed Smart Tourism Select Committee Terms of Reference to add an additional element to provide input and recommendations on the ongoing use of parks and recreation infrastructure.

CARRIED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Morden

That Council direct staff to amend the Smart Tourism Select Committee membership to add a representative of Arts Whistler as a permanent voting member.

OPPOSED: (1): Councillor J. Muri

CARRIED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Morden

That Council direct staff to amend the Smart Tourism Select Committee membership to add a fourth member at large.

OPPOSED: (1): Councillor J. Muri

CARRIED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor A. De Jong

That Council direct staff to amend the Climate Action and Environment Committee membership to add a fifth member at large.

OPPOSED: (1): Councillor J. Murl

CARRIED

Mayor, J. Crompton declared a recess at 7:14 p.m.

Mayor, J. Crompton called the Meeting back to order at 7:25 p.m.

8.4 Code of Conduct Guidelines – Direction to Proceed No. 24-039 File No. 3900-20-2397

Moved By Councillor J. Ford

Seconded By Councillor J. Murl

That Council direct staff to bring “Code of Conduct Bylaw No. 2397, 2023”, attached as Appendix A to Administrative Report No. 24-039, for consideration of first three readings at a future Regular Council Meeting, as amended to:

- Delete section 20 [*Interactions with Staff*] and add a new section to focus on Council members’ exercise of good judgement when interacting with staff;
- Add two new sections to the Informal Resolution section (sections 62 to 67) to allow the investigator to refer the informal resolution process to the Mayor or CAO;
- Amend section 74 [*Adjudication and Reporting*] such that, in the case of a determination by the investigator that a Council member did not violate the New Code, the investigation report, or a summary, would only be made publicly available subject to that Council member’s approval;
- Add a new section after section 14 [*Application*], add a new section [*Complaint Outside of Jurisdiction*], amend section 51 [*Complaint Procedure*], amend section 56 [*Preliminary Assessment*], delete sections 58 and 59 [*Criminal Conduct*], and delete sections 60 and 61 [*Disqualification Proceedings*] to align with the City of Vancouver’s process for dismissing complaints;
- Replace section 17 [*General Conduct*] with a general conduct section that does not include harassment and amend section 26. b) [*Interactions with the Public and Media*] to remove the references to discrimination and harassment; and
- Amend section 89 [*Reimbursement*] to remove the \$10,000 claim limit.

CARRIED

Amendment:

Moved By Councillor J. Murl

Seconded By Councillor J. Morden

That Council direct staff to delete section 20 [*Interactions with Staff*] and add a new section to focus on Council members' exercise of good judgement when interacting with staff.

CARRIED

Amendment:

Moved By Councillor J. Murl

Seconded By Councillor J. Ford

That Council direct staff to add two new sections to the Informal Resolution section (sections 62 to 67) to allow the investigator to refer the informal resolution process to the Mayor or CAO.

CARRIED

Amendment:

Moved By Councillor J. Morden

Seconded By Councillor J. Ford

That Council direct staff to amend section 74 [*Adjudication and Reporting*] such that, in the case of a determination by the investigator that a Council member did not violate the New Code, the investigation report, or a summary, would only be made publicly available subject to that Council member's approval.

CARRIED

Amendment:

Moved By Mayor J. Crompton

Seconded By Councillor J. Murl

That Council direct staff to add a new section after section 14 [*Application*], add a new section [*Complaint Outside of Jurisdiction*], amend section 51 [*Complaint Procedure*], amend section 56 [*Preliminary Assessment*], delete sections 58 and 59 [*Criminal Conduct*], and delete sections 60 and 61 [*Disqualification Proceedings*] to align with the City of Vancouver's process for dismissing complaints.

CARRIED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

That Council direct staff to replace section 17 *[General Conduct]* with a general conduct section that does not include harassment and amend section 26. b) *[Interactions with the Public and Media]* to remove the references to discrimination and harassment.

CARRIED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Morden

That Council direct staff to delete sections 82 and 83 *[Remuneration]* so that a Council member's remuneration will not be reduced where the investigator finds that that Council member breached the New Code, or submitted a complaint that was frivolous, vexatious, or made in bad faith.

OPPOSED: (3): Mayor J. Crompton, Councillor J. Ford, and Councillor J. Murl

DEFEATED

Amendment:

Moved By Councillor R. Forsyth

Seconded By Councillor J. Morden

That Council direct staff to amend section 89 *[Reimbursement]* to remove the \$10,000 claim limit.

CARRIED

Mayor J. Crompton declared a recess at 8:45 p.m.

Mayor J. Crompton called the Meeting back to order at 8:51 p.m.

8.5 Provincial Housing Legislation Update: Bill 44 - Small-Scale Multi-Unit Housing and Bill 47 - Transit-Oriented Development Areas Report No. 24-040 File No. 7729.04

Moved By Councillor J. Murl

Seconded By Councillor J. Ford

That Council direct staff to prepare an amendment to "Zoning and Parking Bylaw No. 303, 2015" to comply with the requirements of provincial Bill 44, consistent

with the approach described in this Administrative Report No. 24-040, including applying overlay regulations in Part 5, providing for development permit exemptions equivalent to those that apply to detached and duplex dwellings, and including employee housing provisions respecting a portion of the additional housing units permitted by the overlay regulations; and

That Council instruct staff to prepare a bylaw designating the “Gondola Exchange” as a transit-oriented development area in accordance with provincial Bill 47, and to prepare an amendment to Part 6 of “Zoning and Parking Bylaw No. 303, 2015” that makes residential off-street motor vehicle parking requirements inapplicable in the transit-oriented development area, except to the extent that Part 6 requires the provision of parking spaces for use by people with disabilities.

CARRIED

9. MINUTES OF COMMITTEES

9.1 Board of Variance

Moved By Councillor J. Ford

Seconded By Councillor J. Murl

That Council receive the Regular Meeting minutes of the Board of Variance of June 26, 2023.

CARRIED

9.2 Audit and Finance Committee

Moved By Councillor R. Forsyth

Seconded By Councillor J. Murl

That Council receive the Regular Meeting minutes of the Audit and Finance Committee of January 4, 2024.

CARRIED

9.3 Advisory Design Panel Committee

Moved By Councillor J. Murl

Seconded By Councillor J. Morden

That Council receive the Regular Meeting minutes of the Advisory Design Panel Committee of February 21, 2024.

CARRIED

10. BYLAWS FOR FIRST, SECOND AND THIRD READINGS

10.1 Zoning Amendment Bylaw (1000 Alpha Lake Road) No. 2436, 2024

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council give "Zoning Amendment Bylaw (1000 Alpha Lake Road) No. 2436, 2024" first, second and third readings.

CARRIED

11. BYLAWS FOR ADOPTION

11.1 Outdoor Potable Water Usage Amendment Bylaw (Irrigation Definitions, Stages and Schedules) No. 2428, 2024

Moved By Councillor R. Forsyth

Seconded By Councillor A. De Jong

That Council adopt "Outdoor Potable Water Usage Amendment Bylaw (Irrigation Definitions, Stages and Schedules) No. 2428, 2024".

CARRIED

11.2 Bylaw Notice Enforcement Amendment Bylaw (Outdoor Potable Water Usage Penalty Amounts) No. 2433, 2024

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council adopt "Bylaw Notice Enforcement Amendment Bylaw (Outdoor Potable Water Usage Penalty Amounts) No. 2433, 2024".

CARRIED

12. OTHER BUSINESS

12.1 Bylaw Officer Appointment

Moved By Councillor J. Ford

Seconded By Councillor J. Morden

Whereas the Council of the Resort Municipality of Whistler (RMOW) wishes to appoint Merideth Klau as a Bylaw Officer pursuant to Section 36 of the *Police Act*, and upon Merideth Klau swearing the oath pursuant to Section 1(b) of Police Oath/Solemn Affirmation Regulation, before a Commissioner for taking Affidavits in the Province of British Columbia, the RMOW hereby appoints Merideth Klau as a Bylaw Officer to perform the functions and duties specified in the Bylaw Officer job description.

CARRIED

13. CORRESPONDENCE

13.1 Outdoor Potable Water Usage Amendment Bylaw File No. 3009

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council receive correspondence from P. and E. Hauschka and H. Stippler regarding the Outdoor Potable Water Usage Amendment Bylaw and refer it to staff.

CARRIED

13.2 Extension of Valley Trail File No. 3009

Moved By Councillor J. Morden

Seconded By Councillor J. Murl

That Council receive correspondence from P. Smyth regarding the extension of the Valley Trail and refer it to staff.

CARRIED

13.3 River of Golden Dreams Habitat Enhancement Project File No. 3009

Moved By Councillor A. De Jong

Seconded By Councillor J. Murl

That Council receive correspondence from K. Swerhun regarding the River of Golden Dreams habitat enhancement project and refer it to staff.

CARRIED

13.4 Whistler Climate Policy File No. 3009

Moved By Councillor A. De Jong

Seconded By Councillor J. Ford

That Council receive correspondence from J. MacInnes regarding the Resort Municipality of Whistler Climate Policy and refer it to staff.

CARRIED

13.5 Sea to Sky Highway Shoulders File No. 3009

Moved By Councillor J. Morden

Seconded By Councillor J. Ford

That Council receive correspondence from E. Dearden regarding the Sea to Sky highway shoulders and refer it to staff.

CARRIED

13.6 Alpha Lake Road Valley Trail Conditions File No. 3009

Moved By Councillor J. Morden

Seconded By Councillor J. Murl

That Council receive correspondence from E. Dearden regarding Alpha Lake Road Valley Trail conditions and refer it to staff.

CARRIED

13.7 Light-up and Proclamation Requests

a. World Lupus Day File No. 3009.1

Moved By Councillor J. Morden

Seconded By Councillor J. Ford

That Council receive correspondence from A. Ranjbar, refer it to staff and that the Fitzsimmons Covered Bridge be lit purple on May 10, 2024, in support of World Lupus Day.

CARRIED

b. International Mucopolysaccharidoses Awareness Day File No. 3009.1

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council receive correspondence from J. Chee, refer it to staff and that the Fitzsimmons Covered Bridge be lit blue and yellow on May 15, 2024, in support of Mucopolysaccharidoses (MPS) Awareness Day.

CARRIED

c. Food Allergy Awareness Month File No. 3009.1

Moved By Councillor J. Ford

Seconded By Councillor J. Morden

That Council receive correspondence from A. Elliott, refer it to staff and that the Fitzsimmons Covered Bridge be lit teal on May 22, 2024, in support of Food Allergy Awareness Month.

CARRIED

d. Moose Hide Campaign Day File No. 3009.1

Moved By Councillor J. Morden

Seconded By Councillor J. Murl

That Council receive correspondence from R. Barrett, refer it to staff and that the Fitzsimmons Covered Bridge be lit orange on May 16, 2024, in support of Moose Hide Campaign Day.

CARRIED

e. Sexual Assault Awareness Month File No. 3009.1

Moved By Councillor A. De Jong

Seconded By Councillor R. Forsyth

That Council receive correspondence from A. Kruger, refer it to staff and that the Fitzsimmons Covered Bridge be lit teal from April 23 to April 25, 2024, in support of Sexual Assault Awareness Month.

CARRIED

f. Menstrual Health Day File No. 3009.1

Moved By Councillor J. Murl

Seconded By Councillor J. Morden

That Council receive correspondence from L. Sinclair, refer it to staff and that the Fitzsimmons Covered Bridge be lit red on May 28, 2024, in support of Menstrual Health Day.

CARRIED

g. International Day Against Homophobia and Transphobia File No. 3009.1

Moved By Councillor J. Ford

Seconded By Councillor J. Morden

That Council receive correspondence from L. Breault, refer it to staff and that May 17, 2024, be proclaimed International Day Against Homophobia and Transphobia in Whistler.

CARRIED

h. Human Values Day File No. 3009.1

Moved By Councillor R. Forsyth

Seconded By Councillor A. De Jong

That Council receive correspondence from M. Rughani, refer it to staff and that April 24, 2024, be proclaimed Human Values Day in Whistler.

CARRIED

14. TERMINATION

Moved By Councillor J. Morden

Seconded By Councillor J. Murl

That Council terminate the Regular Council Meeting of April 9, 2024, at 9:33 p.m.

CARRIED

Mayor, J. Crompton

Corporate Officer, P. Lysaght