



WHISTLER

AGENDA

PUBLIC HEARING OF MUNICIPAL COUNCIL TUESDAY, MARCH 20, 2018 STARTING AT 6:00 P.M.

**Franz Wilhelmsen Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V0N 1B4**

This Public Hearing is convened pursuant to section 464 of the *Local Government Act* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" (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.

Zoning Amendment
Bylaw (Creekside
Plaza) No. 2165,
2017

PURPOSE OF ZONING AMENDMENT BYLAW (CREEKSIDE PLAZA) NO. 2165, 2017

The purpose of the proposed Bylaw is to modify the existing CL3 Zone regulations to allow auxiliary residential dwelling units for employee housing, increase the allowable density, increase the maximum site coverage and include additional regulations pertaining to the auxiliary residential housing units for employee housing. The proposed Bylaw is as revised by Council on March 6, 2018 to remove liquor retail sales use from the proposed Bylaw.

Submissions from the
Public

Submissions by any persons concerning the proposed Bylaw.

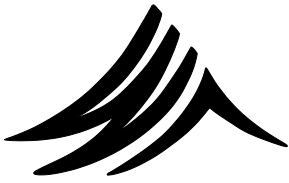
Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

MOTION TO CLOSE THE PUBLIC HEARING

PUBLIC HEARING DOCUMENT INDEX

| Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017 | | |
|---|-------------------|--|
| Document Type | Date | Details |
| Public Hearing Document Index | | |
| Public Hearing Package | February 6, 2018 | Public Hearing Package of February 6, 2018 |
| Notice of Public Hearing | | Notice of Public Hearing (scheduled for March 20, 2018). |
| Proposed Bylaw - Revised | March 6, 2018 | Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017 |
| Council Report 18-021 | March 6, 2018 | Administrative Report to Council requesting consideration of first and second readings for proposed Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017 and permission to schedule a Public Hearing. |
| Presentation Slides | March 6, 2018 | Presentation slides for Report to Council |
| Public Hearing Minutes | February 6, 2018 | Public Hearing Minutes for Bylaw No. 2165 (Creekside Plaza) - Held February 6, 2018. |
| Council Minutes | March 6, 2018 | Minutes of the Regular Meeting of Council of March 6, 2018 |
| Correspondence (Received after the close of the Public Hearing of February 6, 2018) | February 11, 2018 | Ru Mehta |
| Correspondence (Received after the close of the Public Hearing of February 6, 2018) | February 22, 2018 | Theresa Ginter |
| Correspondence | March 8, 2018 | Kaori and Ray Zage |
| Correspondence | March 13, 2018 | Chris Enns |
| Correspondence | March 13, 2018 | Graham Sibbald |
| Correspondence | March 13, 2018 | Hendrik Zessel |
| Correspondence | March 14, 2018 | John Sampson |
| Correspondence | March 15, 2018 | Alicja Kuduba-Maurer |
| Correspondence | March 19, 2018 | Dale N. Bickenbach |
| Correspondence | March 19, 2018 | Kathy Wardle and Matthew Quinlan |
| Correspondence | March 19, 2018 | Shauna Peachman and Bryce Anderson |
| Correspondence | March 19, 2018 | Kim and Craig Dudra |
| Correspondence | March 19, 2018 | Brian Lawson |
| Correspondence | March 20, 2018 | Alex Boatman |
| Correspondence | March 20, 2018 | Jeff Lee |
| Correspondence | March 20, 2018 | Jack Hole |
| Correspondence | March 20, 2018 | Mike Posnikoff |
| Correspondence | March 20, 2018 | Alana Toms and Rod Woodcock |
| Correspondence | | Correspondence will be added to the Package as it is received |



WHISTLER

AGENDA

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, FEBRUARY 6, 2018 STARTING AT 6:00 P.M.**

**Franz Wilhelmsen Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V0N 1B4**

This Public Hearing is convened pursuant to section 464 of the *Local Government Act* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" (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.

Zoning Amendment
Bylaw (Creekside
Plaza) No. 2165,
2017

PURPOSE OF ZONING AMENDMENT BYLAW (CREEKSIDE PLAZA) NO. 2165, 2017

As stated in the Notice of Public Hearing, the purpose of the "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" is to amend "Zoning and Parking Bylaw No. 303, 2015" to amend the CL3 (Commercial Local Three) Zone, which is a site specific zone that applies to Creekside Plaza located at 2010 and 2011 Innsbruck Drive.

Submissions from the
Public

Submissions by any persons concerning the proposed Bylaw.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

ADJOURNMENT

PUBLIC HEARING DOCUMENT INDEX

Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

| Document Type | Date | Details |
|-------------------------------|-------------------|--|
| Public Hearing Document Index | | |
| Notice of Public Hearing | | Notice of Public Hearing (scheduled for February 6, 2018). |
| Proposed Bylaw | January 23, 2018 | Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017 |
| Council Report 17-114 | October 17, 2017 | Administrative Report to Council |
| Council Report 18-005 | January 23, 2018 | Administrative Report to Council requesting consideration of first and second readings for proposed Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017 and permission to schedule a Public Hearing. |
| Presentation Slides | October 17, 2017 | Presentation slides for Report to Council |
| Presentation Slides | January 23, 2018 | Presentation slides for Report to Council |
| ADP Minutes | July 19, 2017 | ADP Minutes of July 19, 2017 |
| ADP Minutes | October 18, 2017 | ADP Minutes of October 18, 2017 |
| Council Minutes | January 23, 2018 | Minutes of the Regular Meeting of Council of January 23, 2018 |
| Correspondence | November 27, 2017 | Lance Bright, Opposition |
| Correspondence | January 26, 2018 | Johnathon Kirby, Support |
| Correspondence | January 31, 2018 | Kaori Zage, Opposition |
| Coospondence | February 2, 2018 | Saad Hasan, Opposition to Liquor Store, in Favour of Housing |
| Coospondence | February 3, 2018 | John O'Donnell, Support |
| Correspondence | February 4, 2018 | Kathy Wardle and Matthew Quinlan, Support |
| Coospondence | February 5, 2018 | John Sampson, Support |
| Correspondence | February 5, 2018 | Peachman and Anderson, Support |
| Correspondence | February 6, 2018 | Jerry and Sana Marsh, Creekside Market, Opposition |
| Correspondence | February 6, 2018 | Marc Ricou, Support |
| Correspondence | February 6, 2018 | Karen Rowland, Opposition |
| Correspondence | February 6, 2018 | Jason Ho, Director of Real Estate, LCDB, Support |
| Correspondence | February 6, 2018 | Mair Jensen Blair LLP, on behalf of Lance Bright, Snowsun Ventures, Opposition |



THE RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V0N 1B4 TF 1 866 932 5535
www.whistler.ca FAX 604 932 8109

NOTICE OF PUBLIC HEARING

TUESDAY, FEBRUARY 6, 2018 – 6:00 P.M.

MAURY YOUNG ARTS CENTRE (formerly MILLENNIUM PLACE)
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (Creekside Plaza) No. 2165, 2017

SUBJECT LANDS: 2010 and 2011 Innsbruck Drive

More specifically these lands are described as: Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204, PID: 003-021-262 and as shown on the map attached to this notice.

PURPOSE:

In general terms, the purpose of the proposed Bylaw is to modify the existing CL3 Zone to allow two additional permitted uses (auxiliary residential dwelling units for employee housing and retail sale of package liquor), increase the allowable density, increase the site coverage and include additional regulations pertaining to the two new permitted uses.

INSPECTION OF DOCUMENTS:

A copy of the proposed Bylaw and relevant background documentation may be inspected at the Reception Desk of Municipal Hall at 4325 Blackcomb Way, Whistler, BC, during regular office hours of 8:00 a.m. to 4:30 p.m., from Monday to Friday (statutory holidays excluded).

PUBLIC PARTICIPATION:

All persons, who believe their interest in the property is affected by the proposed Bylaw, will be afforded a reasonable opportunity to be heard by Council at the Public Hearing.

Written comments must be addressed to "Mayor and Council", and may be submitted prior to the public hearing (by 4:30 p.m. on February 6, 2018):

Email: corporate@whistler.ca
Fax: 604-935-8109
Hard Copy: Legislative Services Department
4325 Blackcomb Way
Whistler BC V0N 1B4

Submissions received for the proposed Bylaw will be included in the information package for Council's consideration, which will also be available on our website at www.whistler.ca with other associated information.

After the conclusion of this Public Hearing, Council cannot receive representations from the public on the proposed Bylaw.

SUBJECT LAND

**RESORT MUNICIPALITY OF WHISTLER
ZONING AND PARKING AMENDMENT BYLAW NO. 2165, 2017**

A BYLAW TO AMEND THE WHISTLER ZONING AND PARKING BYLAW NO. 303, 2015

WHEREAS Council may, in a zoning bylaw pursuant to *Section 479 of the Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zones, regulate the use of land, buildings and structures within the zones, and require the provision of parking 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 (Creekside Plaza) No. 2165, 2017”.
2. Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 is amended in Part 24 by adding the following to Schedule “D”:

| | | | |
|----------------------|---|---------------------------|-----------------|
| 2010 Innsbruck Drive | Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204 | Same as legal description | No restrictions |
|----------------------|---|---------------------------|-----------------|

3. Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 is amended in Part 9 section 6 by replacing the regulations for the CL3 zone with the regulations attached to and forming part of this Bylaw as Schedule 1.

GIVEN FIRST READING this __ day of ____, 2018.

GIVEN SECOND READING this __ day of ____, 2018.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this __ day of ____, 2018.

GIVEN THIRD READING this __ day of ____, 2018.

Approved by the Minister of Transportation and Infrastructure this __ day of ____, 2018.

ADOPTED by the Council this __ day of ____, 2018.

Nancy Wilhelm-Morden,
Mayor

Brooke Browning,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017."

Brooke Browning,
Municipal Clerk

SCHEDULE 1

6. CL3 Zone (Commercial Local Three)

Intent

- (1) The intent of this zone is to provide for small commercial uses and auxiliary employee housing, adjacent to a residential area.

Permitted Uses

- (2) The following uses are permitted and all other uses are prohibited:
 - (a) auxiliary buildings and auxiliary uses;
 - (b) auxiliary residential dwelling units for employee housing for uses located in the CL3 zone;
 - (c) restaurant and establishments licenced for the sale and consumption of alcoholic beverages on the premises;
 - (d) office;
 - (e) personal services; and
 - (f) retail.
- (3) The second storey of a principal building shall not be used for retail or restaurant uses.
- (4) No portion of the first storey of a building may be used for auxiliary residential dwelling units.
- (5) Auxiliary residential dwelling units are permitted only in the building in the CL3 zone that is nearest the intersection of Lake Placid Drive and the Sea to Sky Highway, and are not permitted in any building that is used for the retail sale of packaged liquor.
- (6) The retail sale of packaged liquor is not permitted in the CL3 zone unless:
 - (a) at least four auxiliary residential dwelling units described in paragraph (2) (b) have been constructed in the CL3 zone, the units are available for occupancy, and the owner has entered into a housing agreement with the Municipality with respect to the units, or
 - (b) at the time a building permit is issued in respect of such retail sales, the Municipality has issued a building permit to authorize the construction of a building containing four auxiliary residential dwelling units in the CL3 zone, the owner has entered into a housing agreement with the Municipality with respect to the dwelling units, and the building containing the dwelling units is under construction.

Density

- (7) The maximum permitted floor space ratio is 0.48.
- (8) The maximum permitted gross floor area of buildings and structures for all uses in the CL3 zone is 1,515 square metres, of which not more than 263 square metres shall be for auxiliary residential dwelling use for employee housing.
- (9) The maximum permitted floor area for the retail sale of packaged liquor is 260 square metres.

Height

- (10) The maximum permitted height of a building is 7.6 metres.

Parcel Size

- (11) The minimum permitted parcel area is 2,500 square metres. The minimum frontage is 1/10th of parcel perimeter.

Site Coverage

- (12) The maximum permitted site coverage is 27 percent.

Setbacks

- (13) The minimum permitted setback is 5.0 metres from all parcel boundaries.

Off-street Parking and Loading

- (14) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Part 6 of this Bylaw.

Other Regulations

- (15) A maximum of two principal buildings on a parcel are allowed.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: October 17, 2017
FROM: Resort Experience
SUBJECT: RZ1132 – 2010 and 2011 INNSBRUCK DRIVE – CL3 ZONE AMENDMENT
FOR CREEKSIDE PLAZA REJUVENATION PROJECT

REPORT: 17- 114
FILE: RZ1132

COMMENT FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council authorize further processing of Rezoning Application RZ1132; and,

That Council direct staff to prepare a zoning amendment bylaw for RZ1132 that would provide for the proposed Creekside Plaza rejuvenation project as described in this report #17-114 and secure the proposed improvements as part of the rezoning.

REFERENCES

Location: 2010 and 2011 Innsbruck Drive
Legal Description: Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204
Owner: Creekside Plaza Lands Ltd., Inc. No. 0877330
Current Zoning: CL3 Zone (Commercial Local Three)
Appendices: "A" - Location Map
"B" - 'Property Owner Letter
"C" - Liquor Distribution Branch Letter
"D" - Proposed Project Architectural and Landscape Plans
"E" - ADP minutes of July 19, 2017

PURPOSE OF REPORT

The purpose of this report is to present RZ1132, an application to amend the CL3 (Commercial Local Three) Zone for a proposed rejuvenation of the Creekside Plaza located at 2010 and 2011 Innsbruck Drive. The proposal includes redevelopment of the visually prominent corner of the property that fronts Highway 99 at its intersection with Lake Placid Road. The existing building would be replaced with a new building that exemplifies Whistler's high quality of development and mountain character. The application seeks to add auxiliary residential dwelling units for employee housing, and a retail liquor store, as permitted uses for the property. A small increase in the maximum permitted density for the property is also proposed. The maximum permitted floor space ratio would be increased from 0.45 to 0.48 square metres of gross floor area per square metre of site area. This represents an increase of approximately 98.8 square metres in gross floor area, which would be added to the employee housing component of the redeveloped building.

The report seeks Council authorization to proceed with further review and processing of RZ1132 and to prepare an amendment to the CL3 Zone to bring forward for Council consideration of first and second readings. Presentation of the application for Council consideration of further review and processing is consistent with requirements for rezoning applications.

DISCUSSION

Background

The Creekside Plaza is an existing commercial development built in 1987 with two buildings located at 2010 and 2011 Innsbruck Drive in the Whistler Creek core commercial area. The property is prominently located and highly visible with frontage adjacent to Highway 99 and Lake Placid Road, as shown on the location map attached as Appendix “A”.

The Highway 99 and Lake Placid Road intersection is the primary gateway for commercial activity in the resort community with the commercial developments located on each corner of the intersection (Creekside Plaza, Franz’s Trail, Husky and Sunset Café). Further, Lake Placid Road is the main entrance to the Creekside ski base and adjacent visitor accommodations.

The updated Official Community Plan contains a number of policies that are targeted at strengthening and enhancing the attractiveness of this sub-area. Renovation and redevelopment of commercial properties to enhance the attractiveness, character and experience of this sub-area is encouraged, along with better integration of existing developments and activities.

Creekside Plaza Lands Ltd., the owners of Creekside Plaza since 2010, have outlined their vision for improving their property in the letter attached as Appendix “B”. The owner’s proposal is a significant rejuvenation of the property that would help to achieve the resort community’s policy objectives.

Project Description

The owners of Creekside Plaza propose to locate a BC Liquor Store within the existing building located at 2010 Innsbruck Drive, which is situated in the interior of the property away from the highway corner. This building has recently undergone significant reinvestment with a new roof, repainting and storefront improvements. The rationale for the proposed BC Liquor Store is outlined in a letter from the province’s Liquor Distribution Branch attached as Appendix “C”.

Supported by the BC Liquor Store as an anchor tenant, the owners propose to replace the existing building at 2011 Innsbruck Drive, which fronts the highway intersection, with a new building that would have two commercial units on the ground floor and four one-bedroom employee housing units on the second floor. The commercial units are expected to be food service operations, and the employee housing would be committed to businesses and commercial activities that are located within the Creekside Plaza development.

Comprehensive design development has been completed for the project to ensure a detailed understanding of the project for rezoning purposes and a commitment to the quality of development that is being proposed. The proposed redevelopment is shown in the architectural and landscape drawings included in Appendix “B”. The proposal reflects a high quality development and significant upgrade of the property.

The new two-storey building at 2011 Innsbruck Drive will be constructed in the same location as the existing building. The new building will be articulated with large windows, roof overhangs and a strong chimney element, and will have high quality, durable materials and finishes. The new building would be slightly larger in gross floor area (521 square metres) than the existing single use commercial building (400 square metres), with an increase of 121 square metres located on the second floor of the building. The amount of space designated for commercial use will decrease from 400 square metres to 258 square metres, with 263 square metres dedicated for employee housing.

At the ground level there are significant improvements to the outdoor patio area, pedestrian circulation and landscape. A proper pedestrian sidewalk is provided along the retail frontage that will also connect to the outdoor patio, exterior stairs up to the second floor employee housing, and to the existing sidewalk along Lake Placid Road.

The proposed landscape improvements represent a significant upgrade to existing conditions that better address the prominent location of the property, and better integrate with adjacent conditions including formalizing pedestrian access to adjacent sidewalks. The existing dated freestanding project identification sign would also be replaced with a new sign that ties to the updated building.

Required parking and loading have also been considered and provided for within the proposed design. In addition to providing the one standard size loading stall required by “Zoning and Parking Bylaw No. 303, 2015”, a larger space adjacent to the proposed liquor store storefront is identified for temporary loading. This would displace designated parking on a temporary basis during loading and would be managed by the project owner and the tenant.

A Traffic Impact Study has also been completed for the proposed redevelopment by a traffic engineer. This study forecasted trip generation and traffic volumes and patterns for the proposed development and the intended uses relative to existing uses. The engineer concluded that the proposed development would generate slightly less vehicle trips and that it is not expected that improvements would be required to the adjacent road network to support the proposed development. The proposed rezoning and new uses were also discussed with the provincial Ministry of Transportation and Infrastructure (MoTI), and there were no concerns expressed. The rezoning would require MoTI approval after third reading.

Rezoning Requirements

As a Provincial government operation, the proposed BC Liquor Store is legally not subject to the municipality's zoning regulations. However, the Liquor Distribution Branch is recognizing the municipality's zoning regulations that restrict retail sales of packaged liquor to locations specified in Schedule “D” of the “Zoning and Parking Bylaw No. 303, 2015”. The proposed zoning amendment bylaw would amend Schedule “D” to add the proposed store location at 2010 Innsbruck Drive as a location permitted for retail sales of packaged liquor.

The proposed employee housing would require an amendment to the list of permitted uses for the CL3 Zone. The permitted use would be specified as auxiliary residential dwelling units for employee housing. This would restrict the units to employee occupancy only, and only to those individuals employed by businesses or activities permitted under the zoning for the property. A housing agreement bylaw for the employee housing would also be required in addition to the zoning amendment bylaw.

The small increase in proposed floor area would require an amendment to the density provisions of the CL3 zone. The maximum permitted floor space ratio is proposed to increase from 0.45 to 0.48 square metres of gross floor area per square metre of site area. It is also recommended that a maximum gross floor area be specified for the zone, which would be 1,582 square metres based on the site area of 3,295 square metres.

The CL3 Zone applies only to the subject property and as such the proposed amendments would not affect the zoning of any other property.

Advisory Design Panel Review

The rezoning proposal and rejuvenation project was reviewed by the Advisory Design Panel (ADP) at their July 19, 2017 meeting. Overall the ADP supported the project in principle and had some specific recommendations for further detailed design development. The minutes of the July 19, 2017 ADP meeting are attached as Appendix “E”.

The applicant has subsequently prepared a revised design to address the ADP's comments. These revised drawings are included in Appendix “D” of this Report. The revised design is to be presented to the ADP for further review prior to Council consideration of the proposed zoning amendment bylaw.

WHISTLER 2020 ANALYSIS

The proposed zoning supports Whistler 2020 Built Environment, Economic, Resident Housing and Transportation strategies:

| W2020 Strategy | TOWARD Descriptions of success that resolution moves us toward | Comments |
|--------------------|--|---|
| Built Environment | 2. The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscales and evoking a dynamic sense of place. | The additional permitted uses at this location would permit the owner to build the new building, and in turn, to improve these objectives for the site overall. |
| | 8. Residents live, work and play in relatively compact, mixed-use neighborhoods, close to green space, transit, trails, amenities and services. | |
| | 9. Building design, construction and operation is characterized by efficiency, durability and flexibility for changing and long-term uses. | |
| | 10. The new and renovated built environment has transitioned towards sustainable management of energy and materials. | |
| Economic | 2. The Whistler economy provides opportunities for achieving competitive return on invested capital. | The additional permitted uses at this location would broaden the opportunities for this site to meet these objectives. |
| | 4. Whistler proactively seizes economic opportunities that are compatible with tourism, and effectively adopts to changing external conditions. | |
| | 9. Physical and social infrastructure attract and support work and investment. | |
| Resident Housing | 6. Housing has been developed close to transit, pedestrian and bicycle routes, and amenities and services to reduce auto dependency. | The additional permitted resident restricted housing use at this location would broaden the opportunities for this site to meet these objectives. |
| Transportation | 7. Residents, businesses and visitors are increasingly aware of the importance and benefits of preferred transportation choices. | The additional permitted resident restricted housing use encourages preferred prioritized method of transportation of: 1. Pedestrian, bicycle and other non-motorized means and 2. Transit. |
| Visitor Experience | 9. The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again. | The additional permitted uses and proposed new construction at this location will strengthen a sense of place at this key intersection to Creekside and Whistler. |
| | 10. The resort is comfortable, functional, safe, clean and well-maintained. | |

| W2020 Strategy | AWAY FROM Descriptions of success that resolution moves away from | Mitigation Strategies and Comments |
|--------------------|---|--|
| Visitor Experience | Communication, travel and services are accessible, seamless and convenient at | The proposed liquor store is not located within the same development as a grocery store as currently exists in Franz's Trail, however, |

| | | |
|--|--|--|
| | all phases of visitors' trips, from prior to departure until after returning home. | however, it is in an accessible and convenient location within the Creekside core commercial area. |
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OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw No. 303, 2015

The subject lands are currently zoned CL3, a site specific zone.

In addition to the proposed zoning amendments described above, that are necessitated by the proposed redevelopment, some minor revisions are also required to address existing conditions that are legally, non-conforming for the existing development.

In 1987, the subject lands were developed in conformance with the CL3 Zone's minimum 5 metre setbacks, maximum 25 per cent site coverage and maximum 0.45 Floor Space Ratio (FSR). After 1987, during further development of Creekside, Franz's Trail and Lake Placid Road, a 2.5 metre portion of the subject lands along Lake Placid Road was appropriated as part of the upgrade to the intersection of Highway 99 and Lake Placid Road, which reduced the existing development's setback adjacent to Lake Placid Road to 2.5 metres and increased the existing development's site coverage to 26.1 per cent, making the existing development legally nonconforming with the zoning requirements.

A comparison of the existing CL3 Zone regulations relative to that proposed by Rezoning Application RZ1132 are summarized in the following table:

| Regulation | Existing CL3 Zone Regulations | RZ1132 Proposal |
|---------------------------------|-------------------------------|---|
| Permitted Uses | | Add auxiliary residential dwelling units for employee housing to the CL3 Zone and add the Liquor Store location at 2010 Innsbruck Drive to Schedule "D" to permit retail sale of packaged liquor. |
| Maximum floor space ratio (FSR) | 0.45 | 0.48 |
| Maximum building height | 7.6 metres | No change |
| Maximum site coverage | 25% | 26.1% |
| Setbacks | 5.0 metres | 4.0 metres adjacent to Highway 99 2.48 metres adjacent to Lake Placid Road |

A total of 64 parking spaces are proposed and a total of 62 parking spaces are required. One loading stall is required and one is proposed. The proposal exceeds the minimum parking requirements of the "Zoning and Parking Bylaw No. 303, 2015".

Official Community Plan (OCP)

The proposed zoning amendments are consistent with Whistler's 1993 OCP and will support applicable OCP objectives and policies, as summarized in the following table.

| Policy No. | Policy | Comments |
|------------|---|--|
| 4.1.1 | The lands outlined in Schedule B are designated for development of accommodation. | The subject lands form part of Schedule “B”. |
| 4.2.2 | Where there is a demonstrated need, the RMOW will encourage affordable housing to accommodate permanent residents and employees | There is a demonstrated need and the proposed redevelopment provides needed employee housing. |
| 4.2.4 | RMOW will monitor housing requirements and encourage innovation and a variety of types. | The proposed employee housing will be dedicated for business and activities located on the property which is an innovative approach. |
| 4.3.1 | Development of restaurants and retail space will be focused in the commercial areas shown on Schedule D. | The subject lands form part of Schedule “D”. |
| 4.13.2 | Proposed rezonings that increase the bed-unit capacity will only be considered if there is a clear and substantial benefit to the community, is supported by the community in the opinion of Council, does not cause unacceptable impacts, and meets all applicable criteria of the OCP. | Auxiliary residential dwelling units are not allocated bed units within the municipality's bed unit capacity. The proposed auxiliary units will provide employee housing that is much needed and is considered to be a clear and substantial benefit to the community. |
| 4.13.3 | <p>All developments must meet the mandatory conditions of;</p> <ul style="list-style-type: none"> • meets all applicable policies of the OCP • serviceable by municipal services • accessible via local road system • satisfactory evaluation of impacts on: <ul style="list-style-type: none"> ○ traffic volumes and patterns on Highway 99 ○ traffic volumes and patterns on the local road system ○ overall patterns of development of the community and resort ○ Municipal finance ○ views and scenery ○ existing community and recreational facilities ○ employee housing ○ community greenhouse gas emissions and heritage resource • must exhibit high standards of design, landscaping, and environmental sensitivity | The proposed zoning amendments are consistent with the mandatory conditions, and would achieve high standards of design, landscaping and environmental sensitivity. |
| 4.13.7 | <p>Additional criteria for proposed resident housing;</p> <ul style="list-style-type: none"> • infill sites preferred • appropriate to development and neighbouring uses • measures to minimize operating and maintenance costs • have adequate storage and parking • employee use restrictions • Close proximity to Whistler Village or Whistler Creek | Proposed zoning amendment for residential use can meet the additional criteria through the phrasing of the zoning amendment and the registration of housing and build green covenants. |

| | | |
|--------|---|--|
| 4.13.8 | Proposal cannot negatively impact RMOWs trails, rec. areas, or open spaces. | Proposal does not negatively impact Valley Trail, recreation areas or open spaces. |
|--------|---|--|

Official Community Plan Development Permit Area Guidelines

The Gateway Plaza is located within Development Permit Area #2 of Whistler's OCP, requiring the proposed development to obtain a Development Permit and approval from Council subsequent to rezoning. The Development Permit shall be in accordance with the Development Permit Area #2 guidelines for form and character, protection of the natural environment and protection from hazardous conditions. The design of the proposed rejuvenation project has been developed in significant detail and is proposed to be resolved and secured in advance as a condition of rezoning adoption.

Liquor Policy

The Municipality's Liquor Policy G-17 recognizes that Retail Package Liquor Sales are a significant part of the overall distribution of liquor within the community. All such applications under this policy have been determined to be of high impact and shall be subject to the rezoning considerations as outlined in the OCP. The proposed BC Liquor Store as a retail package liquor sales use complies with the OCP rezoning considerations as outlined in this report. Although provincial liquor stores are not subject to municipal zoning, it is recommended that this additional use on the property be added to Schedule "D" – Liquor Sales - List of Retail Outlets in Part 24 Schedules of "Zoning and Parking Bylaw No. 303, 2015".

The provincial Liquor Control and Licensing Branch (LCLB) is responsible for regulating, approving and locating all licensed retail stores and BC Liquor Stores (i.e. government liquor stores). The proposed BC Liquor Store has been approved by the LCLB.

Green Building Policy

The Municipality has an opportunity to require specific commitments in respect of green building features through its discretionary authority to enact and amend zoning bylaws. Per the Municipality's Green Building Policy G-23, the following information is required for the processing and approval of a zoning amendment:

- an Application Checklist that summarizes how the proposed development responds to each of the Green Building Objectives;
- a detailed Project Checklist signed by the project's coordinating professional;
- a Green Building Commitment. Prior to adopting a zoning amendment bylaw, the registration of a Section 219 covenant will be required to ensure the future development is consistent with the Project Checklist and with the objectives and goals of the Municipality's Green Building Policy; and
- a Project Completion Report detailing the implementation of the green building practices required by the Section 219 Covenant.

The Municipality's Green Building Policy has six broad Green Building Objectives, as well as performance goals by building type. For new commercial development, the performance goal for 2017 is LEED Gold, or 50 per cent better than MNECB (Model National Energy Code for Buildings), with the performance goal increasing to LEED Gold, or 75 per cent better than MNECB by 2020.

Green Building Commitments that meet the Green Building Policy will be a condition of adoption of the zoning amendment bylaw.

BUDGET CONSIDERATIONS

All costs associated with staff time for the rezoning application, public hearing, notices, and legal fees will be paid by the applicant and all fees will be required to be paid in full as a condition of adoption of the proposed zoning amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign is posted on the property. The proposed zoning amendment bylaw would be subject to a public hearing adhering to statutory public notice requirements.

SUMMARY

This report requests Council authorize further review and processing of Rezoning Application RZ1132 and give staff direction to prepare a zoning amendment bylaw for Council's consideration, as described in this report.

Respectfully submitted,

Robert Brennan

PLANNER

for

Mike Kirkegaard

ACTING GENERAL MANAGER OF RESORT EXPERIENCE



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 23, 2018

REPORT: 18-005

FROM: Resort Experience

FILE: RZ1132

SUBJECT: RZ1132 – 2010-2011 INNSBRUCK DRIVE –CL3 ZONE AMENDMENTS FOR CREEKSIDE PLAZA

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 (Creekside Plaza), No. 2165, 2017”;

That Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”;

That Council direct staff to advise the applicant that before consideration of adoption of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (“RMOW”) to secure development of the proposed new building and site improvements consistent with plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site;
3. Registration of a green building covenant consistent with the RMOW’s Green Building Policy;
4. Submission of a final waste and recycling plan that is consistent with Solid Waste Bylaw No. 2139, 2017;
5. Submission of a snow shed report; and further,

That Council authorizes the Mayor and Municipal Clerk to execute the necessary legal documents for this application.

REFERENCES

| | |
|--------------------|---|
| Location: | 2010 and 2011 Innsbruck Drive |
| Legal Description: | Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204 |
| Owner: | Creekside Plaza Lands Ltd., Inc. No. 0877330 |
| Current Zoning: | CL3 Zone (Commercial Local Three) |
| Appendices: | “A” – Location Map |
| | “B” – Proposed Development Plans |
| | “C” – Advisory Design Panel Meeting Minutes of Jul. 15, 2017 |
| | “D” – Advisory Design Panel Meeting Minutes of Oct. 18, 2017 |
| | “E” – Correspondence |

PURPOSE OF REPORT

The purpose of this Report is to present “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” for Council consideration of first and second readings. The proposed Bylaw is to amend the CL3 (Commercial Local Three) Zone, which is a site specific zone that applies to Creekside Plaza located at 2010 and 2011 Innsbruck Drive. The zone is proposed to be amended to add retail sale of packaged liquor and auxiliary residential dwelling units for employee housing, and to secure a proposed rejuvenation of the property including a new gateway building and additional landscape and site improvements.

This Report recommends that Council give first and second readings to “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, and further identifies conditions for the applicant to address prior to consideration of adoption of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

DISCUSSION

Background

On October 17, 2017 Council authorized staff to proceed with further review and processing of Rezoning Application RZ1132 and to prepare a zoning amendment bylaw that would provide for the proposed uses and associated rejuvenation of Creekside Plaza located at 2010 and 2011 Innsbruck Drive as described in Administrative Report to Council No. 17-114

The proposal includes redevelopment of the visually prominent corner of the property that fronts Highway 99 at its intersection with Lake Placid Road, as shown on the Location Map in Appendix “A”. The existing building would be replaced with a new building that exemplifies Whistler’s high quality of development and mountain character. The application seeks to add a retail liquor store and auxiliary residential dwelling units for employee housing, as permitted uses for the property. A small increase in the maximum permitted density for the property is also proposed. The maximum permitted floor space ratio would be increased from 0.45 to 0.48 square metres of gross floor area per square metre of site area. This represents an increase of approximately 98 square metres in total gross floor area to facilitate the allowance of up to 263 square metres of employee housing. There is no increase in the amount of commercial space permitted for the property under the proposed zoning amendment.

In addition to preparation of the proposed Bylaw, staff have been working with the applicant on further refinement of the proposed redevelopment plans. Some final minor details are outstanding and are recommended to be finalized prior to consideration of bylaw adoption. The plans which were reviewed by the municipal Advisory Design Panel on October 18, 2017 are included in Appendix “B”.

Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

“Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” amends the CL3 zone to add two new permitted uses, increase the allowable density, increase the site coverage and include additional regulations pertaining to the two new permitted uses.

Specifically, the proposed bylaw adds the following two new permitted uses to the current uses permitted on the property:

- auxiliary residential dwelling units for employee housing, auxiliary to other uses located in the CL3 zone; and
- retail sale of packaged liquor at 2011 Innsbruck Drive.

The proposed Bylaw contains regulations addressing the location of the employee housing units on the site (building nearest the intersection, not in the same building as the retail liquor sales) and within the buildings on the site (not on the ground floor). The maximum area for employee housing is specified as 263 square metres. The number of units is not specified to allow flexibility in the final layout and configuration of the units to most effectively address the needs of on-site businesses. Four 1-bedroom units are proposed under the current proposed development plans.

The proposed Bylaw adds retail sale of packaged liquor as a permitted use for the portion of the property located at 2011 Innsbruck Drive by adding this location to Schedule “D” of “Zoning and Parking Bylaw No. 303, 2015”, which lists approved locations within the municipality for retail liquor sales. The proposed Bylaw also restricts the size of the liquor store to 260 square metres. The rezoning seeks to add this use in order to accommodate the relocation of the BC Liquor store. A provincially operated retail liquor store does not require municipal zoning approval, however, it is the policy of the provincial Liquor Distribution Branch to meet local zoning requirements for its store locations. Similarly, the proposed site also meets provincial policies for distance requirements between other existing liquor retail stores, including private stores.

The proposed Bylaw also links the retail liquor sales use of the property to the employee housing, and only allows the retail liquor sales use if the employee housing units have been constructed or are under construction and the owner has entered into a housing agreement for the employee units with the Resort Municipality of Whistler.

The proposed bylaw increases the maximum permitted floor space ratio (FSR) for the property from 0.45 to 0.48 representing an increase in gross floor area of 98 square metres over the currently permitted FSR regulation. The total maximum permitted gross floor area for all buildings and structures in the CL3 zone is restricted to 1,515 square metres (16,307 sq.ft.), of which not more than 263 square metres (2,831 sq.ft.) may be used for auxiliary residential dwelling use for employee housing.

The maximum permitted site coverage is increased from 25 to 27 percent. For comparison, the maximum permitted site coverage in the CC2 zone directly across Lake Placid Road is 50 percent and in the CL1 zone directly across Highway 99.

There are no changes to the Height, Parcel Size, Setbacks, Off-street Parking and Loading and Other Regulations sections of the existing CL3 zone.

The proposed development meets all of the current regulations, except that development permit DP1556 will require building setback variances for the proposed building redevelopment as follows:

1. Vary the setback from Highway 99 from 5 metres to 4 metres.
2. Vary the setback from Lake Placid Road from 5 metres to 2.2 metres.

In 1987, the building at the corner of Highway 99 and Lake Placid Road was developed in conformance with the CL3 zone’s minimum 5 metres building setbacks, but subsequently, a 2.5 metre portion of the subject lands along Lake Placid Road was appropriated as part of an upgrade to the intersection of Highway 99 and Lake Placid Road, which reduced the existing development’s setback adjacent to Lake Placid Road to 2.5 metres. The proposed new building adds some bump outs to articulate the building massing on short sections of the façades facing Highway 99 and Lake

Placid Road, further reducing the setbacks to 4 metres and 2.2 metres respectively. Because it is only short sections of the new building that are built to a 4 metre and 2.2 metre setback, the variance approach is recommended rather than generally applying reduced setbacks in the new CL3 zone.

Development Agreement and Housing Agreement

Staff are working with the applicant to secure other details with respect to this project, including the timely removal of the existing building nearest the intersection, achievement of a high standard of quality in the replacement building, and standard restrictions on the occupancy of the employee housing units. Some of these details are beyond the scope of zoning regulations and need to be secured by means of agreements with the property owner (development agreement and housing agreement) and entered into as a “prior to” condition and registered on title or held on a solicitor’s undertaking to register upon bylaw adoption. These agreements are to be registered in favour of the RMOW. A separate bylaw will be needed to authorize housing agreement provisions. A separate report outlining the provisions and associated housing agreement bylaw will be brought forward for Council consideration prior to the adoption of “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017”.

Advisory Design Panel Review

Comprehensive work has been completed on the design of the proposed redevelopment and rejuvenation of the Creekside Plaza property which is linked to the proposed rezoning. The project was reviewed by the Advisory Design Panel (ADP) at their July 19, 2017 and October 18, 2017 meetings. Overall the ADP supports the project and had some specific recommendations for further detailed design development. The Panel has left it to staff to resolve the detailed design items. The minutes of the July 19, 2017 and October 18, 2017 meeting are attached as Appendices “C” and “D”.

WHISTLER 2020 ANALYSIS

The proposed zoning amendment supports Whistler 2020 Built Environment, Economic, Resident Housing and Transportation strategies as described in Administrative Report No. 17-114 to Council dated October 17, 2017.

OTHER POLICY CONSIDERATIONS

The proposed zoning amendment is consistent with Official Community Plan policies and development permit area guidelines, Liquor Policy and Green Building Policy as described in Administrative Report No. 17-114 to Council dated October 17, 2017.

BUDGET CONSIDERATIONS

Rezoning application fees provide for recovery of costs associated with this application. Building Permit fees and Works and Services charges will be applicable at the time of Building Permit.

The new building’s commercial gross floor area will be subject to the Employee Housing Service Charge Bylaw No. 1507, 2000 as the original building was constructed prior to the RMOW’s first Employee Housing Bylaw. As proposed, the new commercial development is deemed to generate 5 employees per the Bylaw. The owners are proposing employee housing in the form of four 1-bedroom units on-site, sufficient to house 8 employees, thereby meeting the requirements of the bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign has been posted on the property. A Public Hearing, which is subject to public notice requirements, is required as part of the statutory process for bylaw consideration and adoption.

One letter in opposition to a provincially operated retail liquor store at this location was received and forwarded to Council as correspondence at the December 5, 2017 Council meeting and is also attached as Appendix “E”.

SUMMARY

This Report recommends that Council consider giving first and second readings to “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, that Council direct staff to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, and further identifies conditions for the applicant to address prior to consideration of adoption of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

Respectfully submitted,

Robert Brennan, MCIP
PLANNER
for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

RZ1132 – 2010 AND 2011 INNSBRUCK DRIVE – CL3 ZONE AMENDMENT FOR CREEKSIDE PLAZA REJUVENATION PROJECT

Council Presentation

October 17, 2017

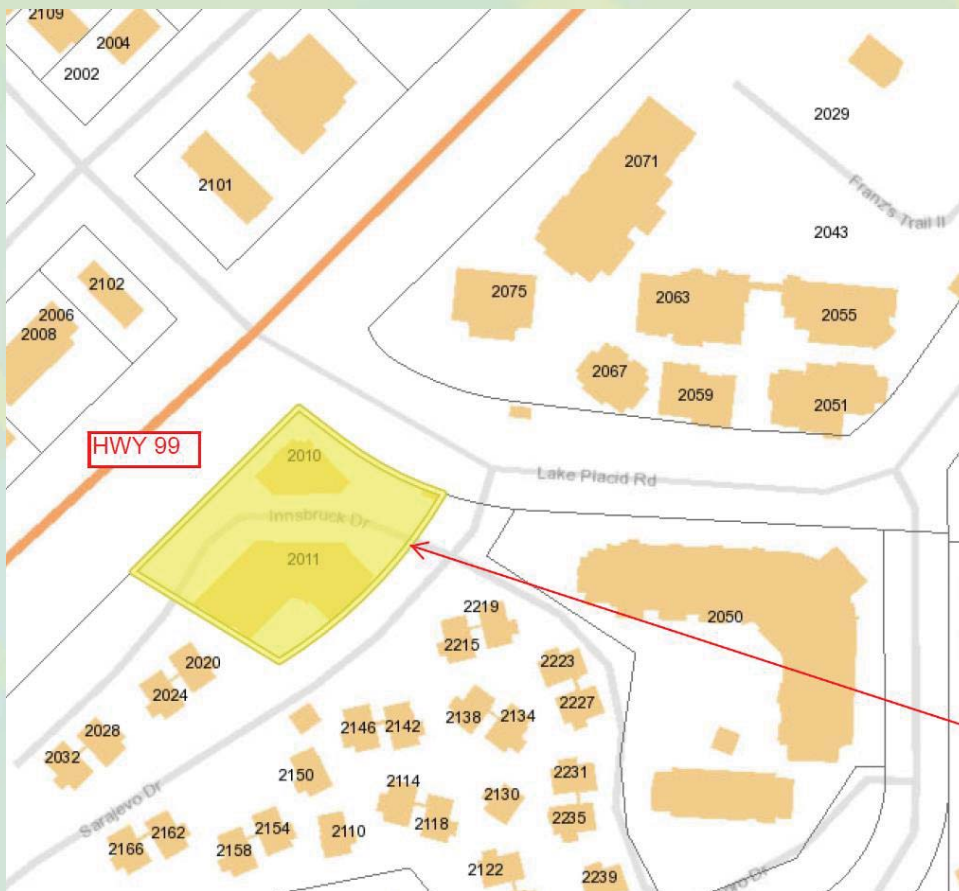
RESORT MUNICIPALITY OF WHISTLER

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

TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109



Subject Lands



- Creekside Plaza is an existing commercial development comprised of 2 buildings
- Located at 2010/2011 Innsbruck Drive in the Whistler Creek core commercial area
- Prominently located, highly visible on Hwy 99 & Lake Placid Road intersection
- Intersection is a primary gateway for commercial activity, main entrance to Creekside ski base & visitor accommodations

Existing Conditions



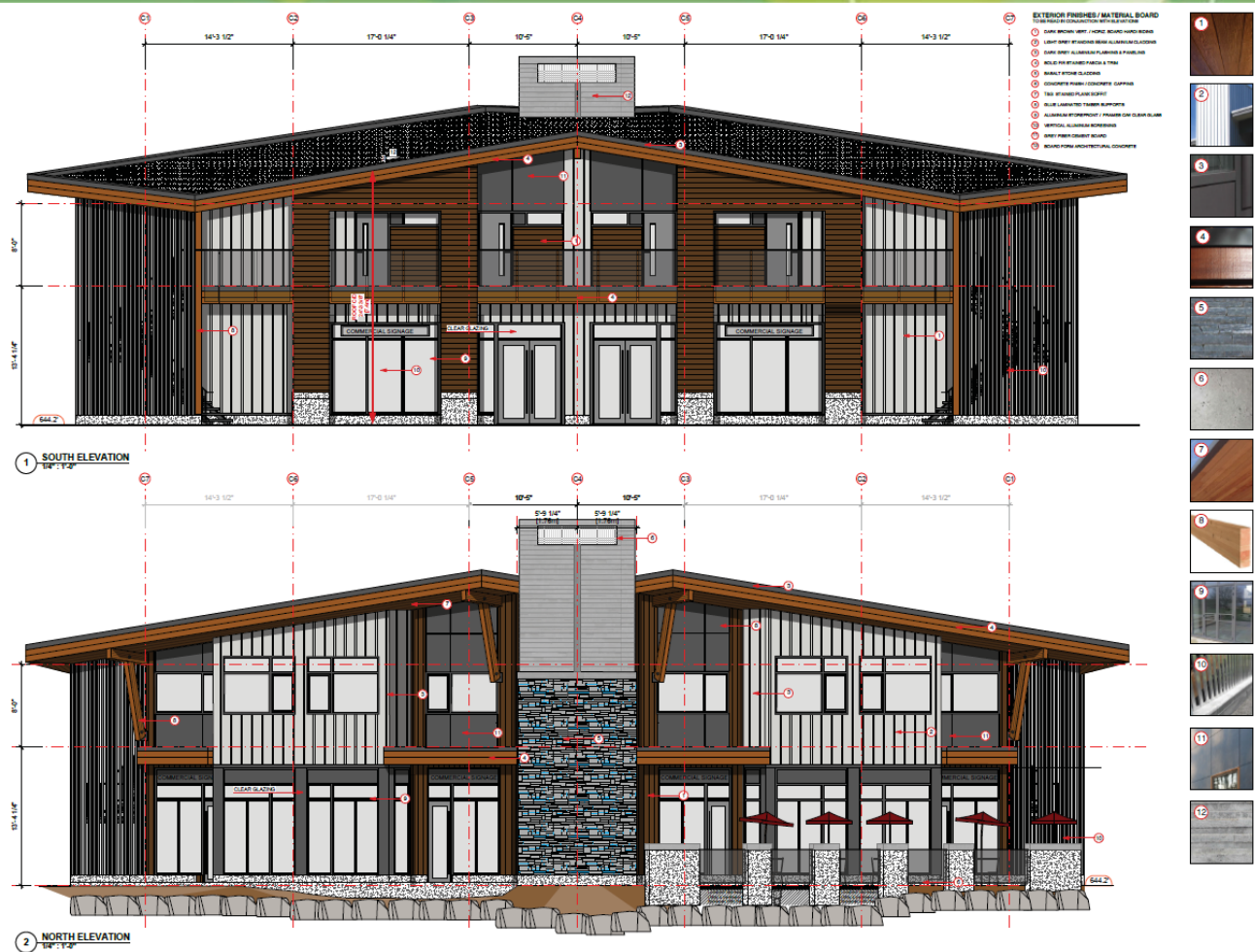
Project Description

- Redevelopment of visually prominent corner of the property that fronts Hwy 99 at intersection with Lake Placid Road
 - Existing building at 2010 Innsbruck Drive replaced with a new building that exemplifies high quality of development & mountain character
 - Add as additional permitted uses for the property:
 - 4 auxiliary residential dwelling units for employee housing
 - Retail liquor store at 2011 Innsbruck Drive
 - Small increase in maximum permitted density for the property from 0.45 to 0.48 floor space ratio
 - Represents 98.8 sq. m. of additional gfa, allocated to auxiliary residential dwelling units for employee housing
 - Vary 5.0 m building setback requirement from all parcel boundaries to:
 - 4.0 m setback at Highway 99
 - 2.48 m setback at Lake Placid Road

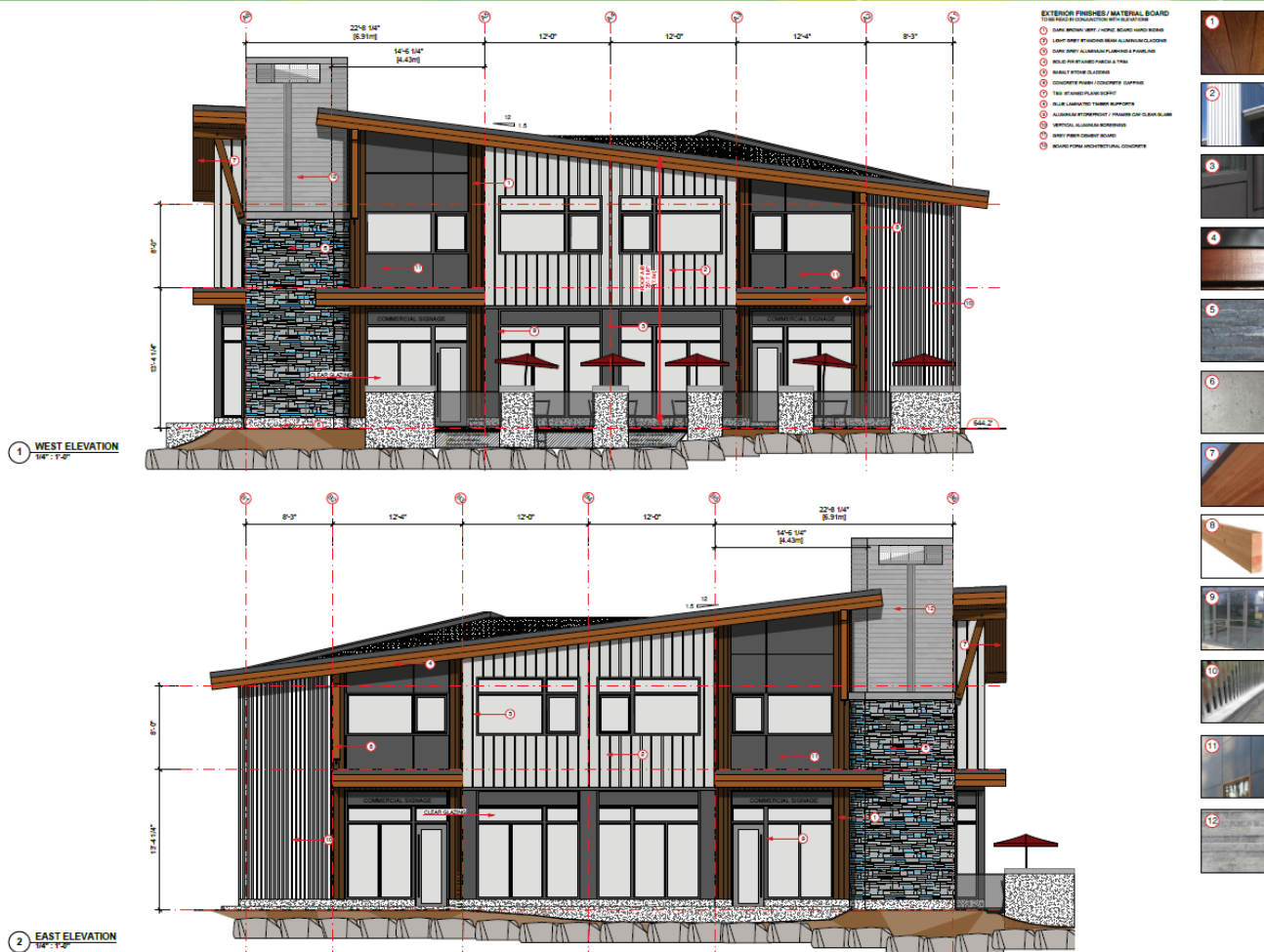
Proposed Development



Proposed Development



Proposed Development



Rezoning Requirements

- Amend Schedule “D” to add the proposed BC Liquor Store location at 2011 Innsbruck Drive as a location permitted for retail sales of packaged liquor
 - Provincial Liquor Stores are not legally subject to municipal zoning regulations, however, BC Liquor Distribution Branch is recognizing the municipality’s zoning regulations that restrict retail sales of packaged liquor
- Amend the permitted uses of the CL3 Zone to permit auxiliary residential dwelling units for employee housing
 - Restricts use to employees of the businesses located on the property & permitted under the CL3 zone
 - A housing agreement bylaw for employee housing is also required
- Amend the density & site coverage provisions of the CL3 Zone
 - Increase floor space ratio from 0.45 to 0.48
 - Introduce a maximum gross floor area of 1,582 square metres
 - Increase maximum permitted site coverage from 25% to 26.1% to address legal non-conformity caused by past appropriation
- CL3 Zone applies only to this property so proposed amendments would not affect any other property

Official Community Plan Considerations

- Proposed zoning amendment will support applicable OCP policies
 - ✓ Lands designated for development of accommodation & commercial
 - ✓ Employee housing will be dedicated for business & activities located on the property, will provide employee housing that is much needed and considered a clear & substantial benefit to the community
 - ✓ Will meet criteria for proposed resident housing :
 - infill sites preferred
 - appropriate to development & neighbouring uses
 - minimize operating & maintenance costs
 - adequate storage & parking
 - employee use restrictions
 - close proximity to Whistler Village or Whistler Creek
 - ✓ Exhibits high standards of design, landscaping, environmental sensitivity
 - ✓ Improvements to adjacent road network not expected

Other Policy Considerations

- **OCP Development Permit Area Guidelines**

- Located in DPA No. 2, requiring the proposal to obtain Council approval of a development permit subsequent to rezoning.
- The design is proposed to be resolved & secured in advance as a condition of rezoning adoption.

- **Liquor Policy G-17**

- Liquor Policy recognizes the potential impact any applications for Retail Package Liquor Sales have on the community & applications are subject to the rezoning considerations contained in the OCP.
- The proposed BC Liquor Store as a retail package liquor sales use complies with the OCP rezoning considerations.

- **Green Building Policy G-23**

- Opportunity to require specific commitments in respect of green building through discretionary authority to enact & amend zoning bylaws.
- Green Building commitments that meet the Green Building Policy will be a condition of adoption of the zoning amendment bylaw.

Advisory Design Panel Review

- Rezoning proposal and rejuvenation project reviewed by ADP on July 19, 2017.
- ADP Recommendation
 - Support the project in principle
 - Some detailed design elements need to be further addressed
- Applicant has prepared revised design drawings to address ADP comments.
- Revised design drawings will be presented to ADP for review prior to Council consideration of the proposed zoning amendment bylaw.

Community Engagement and Consultation

- Required rezoning application information sign is posted on the property.
- Proposed zoning amendment bylaw will be subject to a public hearing adhering to statutory public notice requirements.

Recommendation

That Council authorize further processing of Rezoning Application RZ1132; and

That Council direct staff to prepare a zoning amendment bylaw for RZ1132 that would provide for the proposed Creekside Plaza rejuvenation project as described in this report #17-114 and secure the proposed improvements as part of the rezoning.

RZ1132

2010 & 2011 Innsbruck Drive - CL3 Zone Amendments for Creekside Plaza

Council Presentation

January 23, 2018

RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way
Whistler, British Columbia
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Purpose

- To present “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” for Council consideration of first and second readings.
- Bylaw 2165 proposes to amend the CL3 Zone, a site specific zone that applies to Creekside Plaza located at 2010 & 2011 Innsbruck Drive, to:
 - ✓ add two new permitted uses (retail sale of packaged liquor, auxiliary residential dwelling units for employee housing),
 - ✓ to secure a proposed rejuvenation of the property prior to retail sale of packaged liquor being permitted,
 - ✓ moderately increase the maximum permitted density & site coverage.

Background

- October 17, 2017 - Council authorized staff to proceed with further processing of Rezoning Application RZ1132 and to prepare a zoning amendment bylaw for proposed uses and associated rejuvenation of Creekside Plaza as described in Administrative Report to Council No. 17-114.

Subject Lands



- 2010 & 2011 Innsbruck Drive
- Creekside Plaza

Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017

- Adds the following 2 new Permitted Uses:
 - ✓ auxiliary residential dwelling units for employee housing auxiliary to other uses located in the CL3 zone
 - ✓ retail sale of packaged liquor at 2011 Innsbruck Dr.
- Amends Zoning Bylaw Schedule “D” to add 2011 Innsbruck Dr. as an approved location for retail liquor sales;
- Retail sale of package liquor is only permitted if:
 - ✓ The employee housing units have been constructed OR are under construction and owner has entered into a housing agreement for the employee units with the Municipality.
- Regulates location of employee housing:
 - ✓ in building nearest the intersection of Highway 99 and Lake Placid Rd.,
 - ✓ cannot be in same building as the retail liquor sales,
 - ✓ cannot be on the first storey.

Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017

- Increase floor space ratio from 0.45 to 0.48
- Introduces gross floor area parameters:
 - ✓ Total gross floor area for parcel of 1,515 square metres
 - ✓ Maximum of 263 square metres for auxiliary residential dwelling use
 - ✓ Maximum of 260 square metres for retail liquor sales.
- Increase site coverage from 25 to 27 percent
- No changes to the Height, Parcel Size, Setbacks and Other Regulations sections of the CL3 zone.
- Off-street parking and loading spaces are in accordance with Section 6 of the Zoning Bylaw.

Conditions Prior to Bylaw Adoption

- Registration of a development covenant in favour of the RMOW to secure development of the proposed new building & site improvements consistent with plans to be finalized prior to adoption.
- Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site.
- Registration of a green building covenant consistent with the RMOW's Green Building Policy.
- Submission of a final waste & recycling plan that is consistent with Solid Waste Bylaw No. 2139, 2017.
- Submission of a snow shed report.

Policy Considerations

- **Complies with:**
 - ✓ applicable policies of the OCP
 - ✓ applicable bylaws (e.g. Employee Housing Service Charge Bylaw No. 1507, Solid Waste Bylaw No. 2139)
 - ✓ Liquor Policy
 - ✓ Green Building Policy
- **Supports Whistler 2020**

Community Engagement and Consultation

- Required rezoning application site information sign is posted on the property.
- A statutory Public Hearing for Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017 will be scheduled and advertised.
- One letter of opposition received to date.

Recommendation

That Council consider giving first and second readings to Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017;

That Council authorize staff to schedule a public hearing for Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017;

That Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler ("RMOW") to secure development of the proposed new building and site improvements consistent with plans to be finalized prior to adoption.
2. Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site.
3. Registration of a green building covenant consistent with the RMOW's Green Building Policy.
4. Submission of a final waste & recycling plan that is consistent with Solid Waste Bylaw No. 2139, 2017.
5. Submission of a snow shed report; and further,

That Council authorizes the Mayor and Municipal Clerk to execute the necessary legal documents for this application.

Panel offers the following comments.

Site Context and Landscaping

1. Opportunity for low planting on the west side of the building for privacy.
2. Panel is in support of the project as it will contribute to the image of the village. The building is in much need of refurbishment.

Materials, Colours and Details

1. Panel had concerns about the new railing dimension and material.
2. Panel suggests use of some natural wood on the building and suggested keeping the soffits natural cedar rather than white. The wood will add warmth to the building.

Moved by Tony Kloepper
Seconded by Ryley Thiessen

That the Advisory Design Panel supports the project as presented with consideration to update the landscaping and to also consider the use of natural wood on the building, particularly the soffits. Panel does not need to see this project return for further review.

CARRIED

The applicant team left the meeting at 2:10 p.m.

The applicant team of Brent Murdoch, Brent Murdoch and Company; Jen Levitt, Murdoch and Company; Dylan Korba, Murdoch and Company entered the meeting at 2:15 p.m.

Robert Brennan, Planner, RMOW introduced the project. Staff seeks Panel comments for Rezoning and Development Permit of the site located on Innsbruck Drive at the entrance to Creekside Village. The existing development was constructed in 1987 and consist of two buildings. This proposal calls for demolition of one building on the northwest corner of the property and replacing it with a new building for commercial and residential use. In addition there will be renovations to the remaining building for a new proposed liquor facility. The rezoning application is for consideration of adding the employee housing and liquor sales uses. Proposed new building is slightly larger than existing with most of that being on the second storey for the new employee housing units.

Brent Murdoch advised on the following.

1. Architect distributed colored perspective drawings and a revised truck template plan for review and discussion.
2. The current building located in the northwest corner of the property is not doing its job from an urban design perspective. Needs to be revamped.
3. Housing component is an important trigger for the owner's plans to redevelop the site.
4. This building is a single occupant commercial building and we are looking to replace that mass and take it down to the slab.

2010 and 2011
Innsbruck Drive
1st Review
File No. DP1556
2:15 – 3:15 p.m.

5. On the 2nd storey of the new building are proposed 4 one bedroom residential units. These units will be accessed via an open walkway connected at each end to a metal screened staircase to the ground level. This walkway provides semi open space for these units.
6. Constraint on the building because of location near the highway and the corner of Lake Placid Road. Building mass is kept tight.
7. The backside of the building will maintain a shallow roof line.
8. The large stone fireplace on the current building is a significant feature and we will re-interpret that in the new design.
9. The proposed liquor store for the existing building on the property is currently located on the Franz's Trail property across Lake Placid Road.
10. The current restaurant in the corner building will be relocated to one of the two proposed commercial units on the first floor of the new building.
11. There will be subtle changes in surface parking layout and loading bay areas, but the project meets parking requirements.
12. Conceptual landscape plan includes new understorey plants and new trees adjacent to Highway 99 and Lake Placid Road.

Panel offers the following comments.

Site Context and Landscaping

1. Update to the landscaping is appreciated.
2. Consider adding outdoor space as it would be more appealing to renters.
3. Panel noted that the issue of parking and deliveries is still not resolved.
4. The North elevation of the new building is well received. The architectural expression is appreciated.
5. Panel had concerns over the South elevation of the new building. Particularly with the main entry. Perhaps consider making the entry on the Southside more open.
6. Opening the commercial façade from one edge to the other will be beneficial to the commercial clients.
7. Coordinate garbage and recycling facilities.

Form and Character

1. The proposed chimney design is not very detailed and can be more articulated. It currently reads as a square block.
2. The sidewalk at the commercial entrances where the doors open are quite narrow. Consider widening and adding landscaping to soften.
3. Comprehensive signage needs to be incorporated into the design.
4. Panel had concerns over the vertical screens.
5. Consider cathedral upper ceilings to add glazing for the north elevations.

Materials, Colours and Details

1. Consider the placement of the stairs to the middle which will eliminate the long corridor.
2. Opportunity to capture half the height of stairs to allow for storage space.
3. Opportunity for exterior stairs to be much more open, otherwise feels like building mass.
4. The proposed light railing for the patio is not supported. Consider solid wall to mitigate view and noise off the highway.

Moved by Kristina Salin
Seconded by Zora Katic

That the Advisory Design Panel supports the project in principle and would like to have it returned to address issues of the south elevation and opening of the south commercial entrances, including an integrated signage package. Review further articulation of the metal screens and stone chimney and have a look at alternative for railing.

CARRIED

The applicant team left the meeting at 3:00 p.m.

Function Junction
Commercial
Development, Alpha
Lake Road
1st Review
File No. DP1337
3:15 – 4:15 p.m.

The applicant team of Brent Murdoch, Brent Murdoch and Company; Chief Dean Nelson, Lil'wat Nation; Kerry Mehaffey, Lil'wat Capital Assets LP; Carlos Zavarce, Cornerstone Developments Ltd; Caroline Lamont; Cornerstone Developments Ltd entered the meeting at 3:10 p.m.

Melissa Laidlaw, RMOW introduced the project. This is a Development Permit Application for a 5.3 acre parcel. Part of the parcel is zoned for a service station which includes a restaurant and a larger portion of the parcel is zoned for light industrial, service commercial, office and employee housing use. The client has worked hard to protect the 20 metre tree buffer along the highway, as well as to reduce the parking and vehicle dominance and provide a more pedestrian friendly environment.

The project is meeting all the regulation of the Zoning Bylaw with the exception of the proposed retaining wall along the rail line, of which staff has no concerns. The proposed on-street parking and off-site freestanding sign does not meet bylaw regulations and this is still under review from staff.

Chief Dean Nelson advised on the following.

1. Excited about the project and to witness the Advisory Design process and will do what must be done to move the project along.

Brent Murdoch advised on the following.

1. This land is part of the First Nations legacy lands.
2. This parcel is zoned for a service station to address the needs of the south side of town.
3. Function Junction is currently a hostile environment for pedestrians.
4. We looked at how this project can be done in a comprehensive manner to address issues with pedestrian and vehicle movement, and maintain an efficient design element.
5. The service station will be similar to Husky with easy available parking and augmented landscaping. There are suggested infill locations in the tree preservation area adjacent to Highway 99, with openings for sightlines along the Alpha Lake Road frontage.
6. The Commercial site has a number of uses including office use. The initial plan was to have office space on the on the third floor. There may not be enough subscription for the building to handle that use and provision of employee housing makes more sense.

Panel offers the following comments.

Site Context and Landscaping

1. Panel suggests adding more landscaping between the walkway and building, while recognizing it is good to have wider walkways for seniors.

Form and Character

1. Further consider the design look of the parkade entrance; it is very visible, detail well.
2. Find a better solution for the picket railing to tie in better and not look low income.

Materials, Colours and Details

1. Panel expressed concern about the durability of the aluminum wrap on vinyl windows.
2. Suggestion to consider a more muted colour for the cement board siding.
3. Panel agreed that the exposed concrete should have more architectural interest.
4. Consider adding to flashing with overhang for weather protection.
5. Wood returns will hit the ground level and attract moisture.
6. Provide care in the visual of the roof material and detailing as viewed from Solana.

Moved by Pat Wotherspoon
Seconded by Brigitte Loranger

That the Advisory Design Panel supports the project and further consideration to the suggestions provided by panel.

CARRIED

The applicant team left the meeting at 1:55 p.m.

2nd Review
File No. RZ1132, DP1556
2010 & 2011 Innsbruck
Drive

The applicant team of Dean Skalski, Jen Levitt and Dylan Korba Murdoch & Co; Rob Laslett, Kindred Construction; entered the meeting at. 2:00 p.m.

Senior Planner Melissa Laidlaw, RMOW introduced the project. Panel reviewed the project once and had several comments. The applicant has submitted revised plans and summarized the changes and how they have addressed panel's previous comments. Staff seeks Panel comments on the proposed changes.

Dean Skalski advised on the following.

1. At the last panel meeting, there was some discussion about showcasing the entry to the commercial units a bit better. The plan is to recess the two entry doors into the commercial units for protection and create more walk space so when doors are open, they don't intrude into the walkway space on the outside of the building.

2. There were concerns about the residential units and whether they can have higher ceilings, windows, doors and questions about screening. We have changed elevations to create more articulation to the building.
3. On the street side of the residential units, we increased the height of windows and doors. Juliette style balcony with protective railing added to connect with the outside a bit better.
4. Chimney used to be a big wall of stone, so we have broken it up using a combination of stone and board form concrete so it doesn't look monolithic, concrete cap to differentiate between the stone works.
5. The treatment for the patio. We have now updated to concrete and glass guardrail to make the patio look more substantial, tie in better with building materials.
6. There will also be a fair bit of landscape screening for the patio.
7. A new freestanding monument sign will replace the existing one facing the Highway.
8. Delivery truck turning radius – based on the worst case scenario the anticipated delivery trucks will be able to service the site.

Panel offers the following comments.

Site Context and Landscaping

1. Good improvements since the last review. Strong support for the recess entry doors - great for pedestrian flow and weather protection.

Form and Character

1. The end stairway elevation are the least successful and could use more architectural interest when compared to the rest of the building.
2. South elevation is a bit weak and verticals also look weak.

Materials, Colours and Details

1. Panel cautioned that the development will need to meet the new requirements for garbage and recycling.
2. Consider drainage and gutters so it does not look like an afterthought.
3. Panel concern that there are lots of wall materials.
4. Juliette balcony well received. Consider large sliding door for the balcony.
5. Panel in support of the changes to the chimney as it creates more of a focal point. Consider adding lighting for further articulation.

Moved by Pat Wotherspoon
Seconded by Zora Katic

That the Advisory Design Panel supports the project as presented and would like to leave it to staff to decide whether it should return subject to the comments and concerns raised by panel.

CARRIED

The applicant team left the meeting at 2:35 p.m.

ADMINISTRATIVE REPORTS

**RZ1132 – 2010 -
2011 Innsbruck
Drive –
CL3 Zone
Amendments for
Creekside Plaza
File No. RZ1132
Report No. 18-005**

Moved by Councillor J. Crompton
Seconded by Councillor J. Ford

That Council consider giving first and second readings to “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017”;

That Council authorize staff to schedule a public hearing for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”;

That Council direct staff to advise the applicant that before consideration of adoption of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (“RMOW”) to secure development of the proposed new building and site improvements consistent with plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site;
3. Registration of a green building covenant consistent with the RMOW’s Green Building Policy;
4. Submission of a final waste and recycling plan that is consistent with Solid Waste Bylaw No. 2139, 2017;
5. Submission of a snow shed report; and further,

That Council authorizes the Mayor and Municipal Clerk to execute the necessary legal documents for this application.

CARRIED

LUC008 – Alpine
Meadows Land
Use Contract
Termination
File No. LUC008
Report No. 18-006

Moved by Councillor J. Grills
Seconded by Councillor C. Jewett

That Council consider giving first and second readings to “Land Use Contract Termination Bylaw (Alpine Meadows) No. 2166, 2017”;

That Council authorize staff to schedule a Public Hearing for “Land Use Contract Termination Bylaw (Alpine Meadows) No. 2166, 2017”;

That Council authorize staff, subject to approval of “Land Use Contract Termination Bylaw (Alpine Meadows) No. 2166, 2017”, to give written notice of termination to the Registrar of Land Titles, pursuant to section 548(6) of the *Local Government Act*; and further,

That Council authorize staff, subject to approval of “Land Use Contract Termination Bylaw (Alpine Meadows) No. 2166, 2017”, to give written notice of termination to all owners subject to the Alpine Meadows Land Use Contract pursuant to Section 549 of the *Local Government Act*.

CARRIED

Whistler Bear Advisory
Committee

Moved by Councillor C. Jewett
Seconded by Councillor J. Grills

That Council receive the Regular Meeting Minutes of the Whistler Bear Advisory Committee of December 13, 2017.

CARRIED

BYLAWS FOR FIRST AND SECOND READINGS

Zoning Amendment
Bylaw (Creekside
Plaza), No. 2165,
2017

Moved by Councillor J. Crompton
Seconded by Councillor J. Ford

That "Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017" be given first and second readings.

CARRIED

Land Use Contract
Termination Bylaw
(Alpine Meadows) No.
2166, 2017

Moved by Councillor J. Grills
Seconded by Councillor C. Jewett

That "Land Use Contract Termination Bylaw (Alpine Meadows) No. 2166, 2017" be given first and second readings.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Financial Plan 2017-
2021 Amendment
Bylaw No. 2173, 2018

Moved by Councillor J. Ford
Seconded by Councillor J. Crompton

That "Financial Plan 2017-2021 Amendment Bylaw No. 2173, 2018" be given first, second and third readings.

CARRIED

BYLAWS FOR THIRD READING

Zoning Amendment
Bylaw (Cannabis
Retail, Production and
Distribution) No. 2159,
2017

Moved by Councillor J. Crompton
Seconded by Councillor J. Ford

That "Zoning Amendment Bylaw (Cannabis Retail, Production and Distribution) No. 2159, 2017" be given third reading.

CARRIED

OTHER BUSINESS

Committee Member
Appointments

Mayor Nancy Wilhelm-Morden notified the public that the following individuals were appointed to the Recreation and Leisure Advisory Committee:

- Josie Chuback;
- Dave Clark;
- Lynda Harnish;
- Murray Lunn;
- Kirk Paterson;
- Andrew Ross;
- Roger Soane; and
- Diane Ziff.

Snowsun Ventures Ltd.

Roland's Beer and Wine Store
2129 Lake Placid Road, Creekside, Whistler
Store Phone: 604-932-5940 Direct Line: 604-388-4545
Email: LanceBright@hotmail.com

Mayor and Council
Resort Municipality of Whistler (RMOW)
4325 Blackcomb Way
Whistler, BC V0N 1B4

November 27, 2017

Re: RZ1132 proposed new location of the Government liquor store in Creekside.

As the operator of Roland's Beer and Wine store, 2129 Lake Placid Road, this proposed LDB (Liquor Distribution Board) relocation is of the greatest concern for us, as it will have an extremely negative impact on our business, and may in the end, force its closure. We appreciate the opportunity to express our concerns.

Council must consider this move to be a predatory attempt on the part of the LDB to close our store. Currently, the Creekside enjoys fantastic service, fourteen hours a day, 365 days of the year, from two locations. At present, there is no market segment underserved nor could any business case show more liquor could be sold in Creekside if another store was added or moved.

Regardless, there is a business case within the LDB showing that if they move, they would grab a larger share of the market and do so at our expense. Our closure would reduce the level of service Creekside now enjoys and would further leave the RMOW vulnerable in ways that need to be considered as a resort town.

As the LDB dictates and controls all liquor sales in BC, all private stores such as ours largely have to buy through them and we do so with only a meager discount of about 20% below what the public pays. The LDB still makes a profit selling to us, and with that discount, we have to not only make a profit, but cover all our expenses by providing our customers additional services at specialized locations.

However, the LDB is in a unique position to track our sales to the penny. They are impossible to compete with directly and have openly stated the proposed store will mimic the success model that distinguishes private stores from government stores. Those elements are what we have focused on and what has enabled us to survive in spite of the installation of an LDB store in Creekside.

Despite the profit the LDB makes selling to private stores, those margins have recently become unacceptable against their appetite for expansion. Private stores have never been much of a business factor for the LDB, but we are a major threat with their union,

the BCGEU. Private stores comparably operate with 60% of the staff and remain a mitigating factor against any potential strike action.

This past summer, an LDB clerk stated to me when I inquired about the new “chilled” section: “We are going to stick it to the private guys.” Even though they control and dictate all sales of liquor—and 95% of the market—this is the culture they have fostered within the LDB.

In 2015, the LDB was directed to close non-profitable stores within their system. In the Private Beer and Wine community, we rejoiced. However, the only change that occurred was a new aggressive attitude toward increasing revenue following the success model of private beer and wine stores, such as chilled services, longer business hours, and open regularly on weekends and holidays. Without increasing consumption, the only way for the LDB to increase revenue was to displace existing markets—namely the private stores.

As a family business that has been in operation for 41 years, we would like the RMOW to consider the following important points: Our store is consistently open from 11 AM to 11 PM, 365 days of the year. We can guarantee our store will never go on strike or be picketed against, and we will always be there for the community—as long as we are properly supported. There may come a day when the private stores are the RMOW’s best friend. If needed, we can stockpile and utilize our alternate sources.

The same cannot be said for the LDB and the BCGEU. Imagine the sting the union could inflict on Victoria by constricting liquor distribution and sales in Whistler. Any sector of the BCGEU could use the Whistler stores and their control of distribution as leverage on Victoria and 99% of B.C. voters would not be affected.

I implore council to hear my cause and support us.

Thank you again for taking the time to read this brief letter. I am, of course, available to speak to you further on this topic. You can reach me at 604-388-4545.

Sincerely,

A handwritten signature in cursive script, reading "Lance Bright".

Lance Bright, Director
Snowsun Ventures Ltd.

Roland’s Beer and Wine Store
Roland’s Creekside Pub
Red Door Bistro

Dear Mayor and Council,

I am writing in support of the proposed Zoning Amendment Bylaw No 2165, 2017 for Creekside Plaza.

I share the opinion of many others that the former Boston Pizza building is worthy of demolition and rebuild. While the construction is sure to disturb our business at times, as one of the first visual impressions visitors receive when arriving to Whistler, a building that is up to date and accurately reflects the image and branding that represents Whistler is needed.

In regards to the additional permitted use of employee housing, these proposed units will be greatly beneficial to the businesses in the plaza. Recruiting qualified professionals (Veterinarians and Veterinary Nurses/Technicians) is borderline impossible due to the lack of housing, not just affordable housing. We've had many of these professionals turn down our employment offers due to not being able to secure accommodation.

In regards to additional permitted use, we enthusiastically support this addition for our plaza to have a wonderful anchor tenant like the BC Liquor Store. The increased traffic to the plaza can only be good for the businesses here.

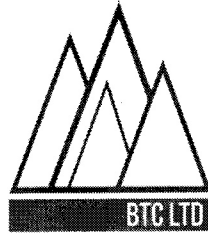
Finally, I'd like to throw my support behind the efforts of Creekside Plaza's owners, the Jekubik family. As Dan Jekubik wrote in a letter to council regarding the redevelopment proposal, I can verify that they have invested significantly in the plaza through much needed maintenance, repairs and tenant improvements. Our new hospital, completed this spring in the plaza, would not have been possible without their contribution. Unlike many other commercial landlords they genuinely act in a manner that is mutually beneficial and win-win for them and their tenants.

Jonathan Kirby
Coast Mountain Veterinary Services

--

Jonathan Kirby
Practice Manager

#201-2011 Innsbruck Drive
Whistler BC, V0N-1B2
Phone: 604-902-8232(cell)
www.coastvet.com



January 28, 2018

Dear Mayor and Council,

Re: Rezoning Application RZ1132 and Development Permit Application No1556

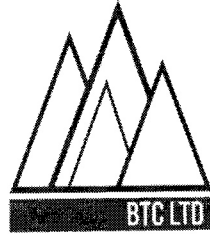
I am writing to you as the new owner of the commercial real estate at Creekside Village ("Creekside Village") otherwise known as Franz's Trail. We completed the purchase of this asset on November 3, 2017 through our holding company, BTC Ltd. BTC Ltd. is a family owned business and we are motivated to redevelop Creekside Village into a more vibrant local community center. We have had a home in Creekside since 2008 and are in the process of building our retirement home in Creekside. Unlike the owners of Creekside Village in the past, we have a vested interest in the success of Creekside Village and its tenants as this is the village at the "bottom of our hill" - it is our neighbourhood. We are highly motivated to make Creekside Village a destination for both locals and tourists.

We are aware of the current Rezoning Application RZ1132 and Development Permit DP1556. We feel these are two separate applications and that the Municipality should look at each of these applications individually and not as a whole 'rejuvenation' plan. We do not support the rezoning application in its current form.

Firstly, it is unclear as to how the term 'rejuvenation' can be used, when the proposal is essentially to permit another Retail Liquor Sales zoning across the street inviting one of Creekside Village's anchor tenants to move from one side of the street to another.

In our opinion, approving Rezoning Application RZ1132 will have quite the opposite effect of rejuvenation. The master plan for Creekside as a whole (i.e. zoning in place) was never to permit retail liquor sales in **Creekside Plaza**. There was good reasoning for it at the time which has not changed.

Having a liquor store and grocery store within the same complex is convenient for the residents and for tourists (many staying in Evolutions, First Tracks & Legends) shopping in our pedestrian friendly complex at the base of Whistler Mountain. With Creekside Village's ample 1,400 parking stalls, it is clearly established to service a large number of customers in one convenient parking destination. The idea of having people grocery shop at Creekside Village and then walk (or drive) across a very busy main road intersection to Creekside Plaza for liquor purchases is problematic in regards to safety, traffic flow and convenience. We are all aware of the traffic flow concerns in Whistler and in Creekside. Our parkade at Creekside Village fills up completely and at the end of the day creates significant traffic leaving from the various parkade exits coming out onto London Lane and Lake Placid Road. Increase in pedestrians & cars crossing between the two complexes to complete their grocery and liquor shopping will further create traffic congestion on Lake Placid road which feeds directly onto Highway 99.



We also have plans to rejuvenate Creekside Village and are actively seeking **local businesses & local entrepreneurs** to set up in Creekside Village. We have turned down potential tenants on the basis that they are "chain" restaurants or franchised retail operation. We are taking a personal financial risk in forgoing rent and keeping units vacant so that we can preserve a local feel and promote community. We have set up a new local store called Get the Goods General Supply Company Limited. It is a retail lifestyle store where we source bespoke and beautifully crafted products from around the world at the same time we give local artisans a platform to showcase their products. Our redevelopment plan involves helping locals create new businesses and showcasing local talent and ideas that will greatly benefit the community.

Back in 2012, Creekside Village underwent an expensive signage redevelopment. At that time, we were made to follow the comprehensive signage plan prepared upon development. Our tenant logo signage for the complex allowed no backlit signage and the total size of each tenant logo was not permitted to be larger than 0.2 m² in area. Since the Master Wayfinding and Guest Arrival Experience Strategy Project, and installation of new and attractive municipal parking and Village pedestrian wayfinding signage, we hope RMOW will also allow us to further improve on signage which is more appealing and eye-catching for our tenant's businesses. In this regard, we are very happy to submit and reinvest in signage that is completely aligned with the new municipal wayfinding signage.

In regards to Development Permit Application No1556 we are in support of this development. A new building to replace 2010 Innsbruck Drive is good for Creekside and Whistler. It is a prominent location and will have great curb side appeal for all traffic into Whistler. The employee housing component is also a much needed investment for our community. BTC Ltd has also recently purchased a duplex on Lake Placid road which will remain as employee housing. We understand the need for employee housing and are also participating in making sure we have employee housing close to the workplace.

We trust that Mayor and Council will consider the Rezoning Application RZ1132 keeping in mind our true and sincere observations, thoughts and comments as outlined here.

Best Regards,

G. Raymond Zage III
Director, BTC Ltd.



LODGING OVATIONS
ACCOMMODATING THE LUXURY TRAVELER

February 1, 2018

Mayor & Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, B.C.

Dear Mayor & Council:

RE: Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017.

As manager of Franz's Trail Retail Complex and also the surrounding three hotels that can accommodate over 1,500 guests at any given time, we feel it is our responsibility to advise you that we do not support any potential relocation of the BC Liquor store from its current premises to the proposed Creekside Plaza area. For our hotel guests, a stroll along the heat-traced pedestrianized pathway to the grocery and liquor stores is a much safer and convenient option and we would hate for our guests to be crossing the busy Lake Placid Road for their purchases. We know for sure that this would negatively impact our guest's safety and experience and as hotel operators we submit this as an important reason for our opposition.

If the Plaza already had zoning for packaged liquor sales, indeed we would not dispute that and it would be BCLDB's prerogative to position its store wherever it saw fit. However, to amend the zoning in order to allow liquor sales, knowing fully well that due to radius requirements, etc., the only logical outcome would be to essentially "*rob Peter to pay Paul*", clearly devaluing the adjacent property, in our opinion, is an unnecessary change and plain wrong. The landlord has purchased Franz's Trail Retail Complex in good faith and this rezoning would be a disservice to their investment.

While we strongly support additional employee housing and upgrading of the Innsbruck Drive corner, it was clear at the January 23, 2018, council meeting that the actual space could be anywhere from 1-4 bedrooms; so while that benefit is uncertain in itself, one can also plainly see the real estate play and how much value the proponents are applying to the relocation of BC Liquor store to Creekside Plaza.

The landlord for Franz' Trail Retail Complex has offered to consider all options for BCLDB from improved visibility consistent with Whistler's wayfinding signage to a reduction in tenant space and we suggest BCLDB explore these opportunities in the best interest of the area, its business and its users.

Yours truly,

Saad Hasan

Saad Hasan
General Manager

2036 London Lane, Whistler, BC., V0N 1B2, Canada
Tel: +1 (604) 938-9999

John O'Donnell
2035 Karen Crescent
Whistler

February 3, 2018

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC
V0N 1B4

Re: Rezoning application for 2010 and 2011 Innsbruck

Your Worship and members of Council

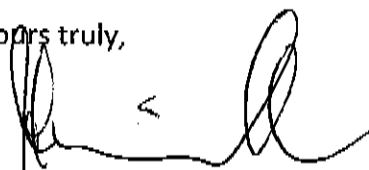
I am writing to express support for the application. The employee housing is especially needed as is a more functional Creekside Liquor Store. This Creekside location is a significant gateway to Whistler and both the North and South sides of the intersection have struggled for years to be viable. The construction of a new building is an important improvement.

I appeared at a Public Hearing before council almost 20 years ago when the Beaver Flats Employee Housing of 69 units was rezoned. My concerns, as were my neighbours at the time, was the form of Housing and the rerouting of the Creek. Almost 20 years later, I can say that the employee housing there has had very little impact on the community and at times we have enjoyed relationships with the new neighbours. We chuckle at the required "Traffic calming" measures of the completed project including a one lane section of Karen Crescent and many, many signs. In fact, the amount of traffic from the employee Housing is very little.

It is important that we keep a Government Liquor store in Whistler Creek as it helps create a hub of activities that is attractive for all businesses. If the store is considering moving and a location cannot be found I am very concerned they may move to another neighbourhood or close. Over the next few years I hope other commercial properties in Creekside will be rejuvenated as we all enjoy walking to as many amenities as possible.

I look forward to council supporting the rezoning.

Yours truly,



John O'Donnell

Quinlan/Wardle Family
8300 Mountainview Drive
Whistler, BC VON 1B8

Legislative Services Department
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler BC VON 1B4

February 4, 2018

Re: Creekside Plaza Rejuvenation at 2010 and 2011 Innsbruck

Dear Mayor and Council,

I am writing to express our support for the rejuvenation and redevelopment of Creekside Plaza located at 2010/2011 Innsbruck.

This project represents an important effort to revitalize the Creekside Plaza and business opportunities within the Creekside area. More importantly, the developer's plan demonstrates a sensitivity to a pressing issue facing the Whistler community – affordable housing for employees. The decision to prioritize four employee-housing units will be an asset for commercial tenants looking to retain long-term employees.

It is our hope that Mayor and Council will support and approve this project, as more projects that integrate an affordable housing component will be critical for the long-term viability of the Whistler community.

If you have any questions regarding our letter of support, please do not hesitate to contact us at wardlek@telus.net.

Sincerely,

A handwritten signature in black ink that reads "Kathy Wardle". The signature is written in a cursive, flowing style.

Kathy Wardle & Matthew Quinlan
604-365-1415

Dear Mayor and Council:

Re: Project at 2010 and 2011 Innsbruck

My wife and I own a cabin at 6562 Balsam Way. I am writing in support of the project referred to above.

I support this project because we prefer to access Whistler Mountain from Creekside and this development will in my opinion enhance our experience there. I also think that it is important for Creekside to be rejuvenated so as to ensure that the existing businesses that are operating there survive, and that Creekside continues to be a viable alternative to the Village.

I also fully support the employee housing component of the project...I think it is innovative and reflects that the developer is committed to the community.

Respectfully,

John Sampson

604.340.8438

From: Shauna Peachman [<mailto:shauna@whistlerlandscaping.ca>]
Sent: Monday, February 05, 2018 1:45 PM
To: corporate <corporate@whistler.ca>
Subject: 2010 and 2011 Innsbruck Drive, Whistler.

Dear Mayor and Council,

We support the Creekside Rejuvenation Project and specifically the addition of employee housing to the property. With affordable housing for employees being a large concern in Whistler, it is wonderful to see business owners thinking outside the box to alleviate the situation.

Regards,

Shauna Peachman & Bryce Anderson
Birkenhead Holdings Limited

To Mayor and Council,

Re: Zoning Amendment Bylaw (Creekside Plaza) No 2165, 2017

We are writing to address our concerns about the rezoning application to Creekside Plaza. Our concerns are the following:

1) Parking Issues/ Customer Safety/ Customer Convenience Customers parking at Creekside Village will now either have to drive across Lake Placid Rd and park again to shop at the Liquor Store, or walk across the street. This is a major inconvenience and would also make a traffic and safety concerns on an already busy street. The current location has a parkade with over 1400 underground and 85 surface level parking stalls with easy access to the other shops, services, including the Grocery Store, Scotiabank, Starbucks, Creekside Dental, Thornhill Real Estate and 122 West Home Furnishings, and public washrooms.

2) Delivery Issues

How will deliveries be made to the new Liquor Store/ Mall? We operated Food Plus at 2011 Innsbruck Drive for over 15 years and deliveries were a constant challenge/nightmare then. Large delivery trucks would block the parking stalls and would also cause congestion and safety concerns for vehicles and also walking traffic to the Mall. The traffic on both roads to the complex, on Innsbruck Drive and Sarajevo Drive, will go be very challenging once again, and even more so in the bad winter months, where snow dumps make the road ways tighter and more of a safety concern. This was one of the most challenging issues that we faced running the business from this Mall for the 15 plus years, and our delivery trucks and trailers were smaller than the size used to service the Liquor Store. At present, Liquor Store deliveries are made in a 2 bay covered loading bay and an elevator with easy access in and out.

3) We strongly feel the present convenience of a one stop shopping mall is in the best interest of Creekside, our wonderful local customers as well as the amazing visitors to the Resort.

If you require any further information from a company that ran a business in Creekside Plaza for these 15 plus years, to know first hand the challenges this Bylaw will cause, please do not hesitate to reach out.

Sincerely,

Jerry and Sana Marsh

Creekside Market
2071 Lake Placid Rd, Whistler, BC V0N 1B2

February 6, 2018

VIA EMAIL

Legislative Services Department
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler BC VON 1B4

Attention: Mayor and Council

Subject: 2010 and 2011 Innsbruck Rezoning Application

I would like to register my support for the proposed rezoning application to partially redevelop Creekside Plaza in Creekside. Creekside Plaza provides a home for a number of businesses that provide important services to the local and vacation communities including the vet, office space, food services and vacation property management.

The addition of a new building at this high-profile corner will substantially improve the appearance of the site which serves as a gateway both to Creekside as well as to Whistler as a whole. This project would represent a good precedent project for the revitalization of other aging developments in Whistler.

The addition of much needed staff rental housing is also an excellent idea given the employment base of the Plaza and Creekside as well as the good transit connectivity at this location.

The liquor store is an important amenity in a tourist town and is an important convenience for tourists and local residents alike. It would be a blunder to allow the BC Liquor Store to leave Creekside, which needs as much traffic and vitality as it can get.

Let's hope more owners in Whistler step up to make this kind of substantial investment in upgrading older buildings in the future and that more opportunities can be found to include new rental units to help address the ever-worsening housing crisis.

I'm looking forward to seeing this revitalization of Creekside Plaza come together.

A handwritten signature in dark ink, appearing to read 'M. Ricou'.

Marc Ricou
8612 Fissile Lane
Whistler, BC

Attention Mayor Wilhelm-Morden and Whistler Municipal Council,

We believe that the developer and the LCLB have not properly calculated the distance between the proposed new location of the Government Liquor Store (GLS) and Roland's Creekside Beer & Wine Store located at 23 - 2129 Lake Placid Road, Whistler. While the current GLS location is grandfathered from the 1km rule that was imposed AFTER the GLS opened in Creekside, the proposed move would seem to be closer to our store, which is in breach of the distance rules.

Sincerely,

Karen Roland

Operator of Roland's Creekside Beer & Wine Store

23 - 2129 Lake Placid Road, Whistler, BC V0N 1B2



**LIQUOR
DISTRIBUTION
BRANCH**

February 6, 2018

The Resort Municipality of Whistler
Legislative Services Department
4325 Blackcomb Way
Whistler, BC V0N 1B4

Attn: Mayor and Council

Re: ZONING AMENDMENT BYLAW (Creekside Plaza) No. 2165, 2017
SUBJECT LANDS: 2010 and 2011 Innsbruck Drive

As you are already aware, the Creekside market has recently seen a significant increase in vacancy and a substantial decrease in foot traffic, which has directly affected our business operations. Further, the current store location is oversized for this market and has had long standing challenges with visibility, access and egress.

Based on the foregoing, we find it necessary to progress with the relocation of this store to a more viable site located at 2010 and 2011 Innsbruck Drive. This move will allow us to continue to service the needs and also further enhance the shopping experience for both our existing and potential customers.

The new location will permit us to further invest in the store and commit to the market. Additionally, we hope to play an integral role in the redevelopment that will help to kick start the revitalization of the Creekside area.

Thank you for your assistance through this process. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Ho".

Jason Ho

Director of Real Estate



REPLY TO: Dennis P. Coates
DIRECT LINE: (250) 372-4923
email: dpc@mjbblaw.com
LEGAL ASSISTANT: Anita Moore-Nikoras
DIRECT LINE: (604) 559-9114
email: anita@mjbblaw.com

Our File: 30158-01

February 6, 2018

VIA EMAIL: corporate@whistler.ca

Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, BC V0N 1B4

Attention: Mayor and Council

Dear Sirs/Mesdames:

RE: File RZ1132
2010 – 2011 Innsbruck Drive – CL3 Zone Amendments for Creekside Plaza
Roland's Creekside Liquor Store LRS #194911 – 2129 Lake Placid Rd., Whistler, BC
Whistler Creekside GLS 195 – #205 – 2071 Lake Placid Rd., Whistler, BC
Proposed New GLS 195 Location: 2011 Innsbruck Dr., Whistler, BC

We are writing this letter on behalf of our client, Lance Bright of Snowsun Ventures Ltd., who owns Roland's Creekside Liquor Store in Whistler. Please find enclosed a copy of our letter dated February 6, 2018 to Suzanne Bell, Deputy General Manager at the Liquor Control and Licensing Branch, along with the enclosures sent therewith.

We would ask that this information be included in tonight's Public Hearing Package for your further information and consideration.

Thank you.

Yours truly,

MAIR JENSEN BLAIR LLP

A handwritten signature in black ink, appearing to read 'D. Moore', is written over the printed name of the legal assistant.

Legal Assistant for:
DENNIS P. COATES, Q.C.

/amn

Enclosures

cc: Snowsun Ventures Ltd., Attn: Lance Bright



REPLY TO: Dennis P. Coates
DIRECT LINE: (250) 372-4923
email: dpc@mjbllaw.com
LEGAL ASSISTANT: Kim Norbury
DIRECT LINE: (250) 372-4970
email: kim@mjbllaw.com

Our File: 30158-01

August 10, 2017

VIA EMAIL: Suzanne.Bell@gov.bc.ca

Liquor Control & Licensing Branch
4th Floor, 3350 Douglas Street
Victoria, BC V8Z 3L1

Attention: Suzanne Bell, Deputy General Manager of Licensing

Dear Ms. Bell:

RE: Roland's Creekside Liquor Store Licence # 194911- 2129 Lake Placid Road, Whistler,
BC - Whistler Creekside GLS 195 - Potential relocation of GLS

We have been retained by Lance Bright of Snowsun Ventures Ltd. In the same neighbourhood an operating GLS Whistler Creekside GLS195 located at 205-2071 Lake Placid Road. Local news indicates a planned relocation of the GLS195 to 2010 Innsbruck Drive, Whistler, BC.

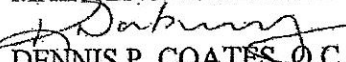
We retained a surveyor to determine if the relocation met the criteria of moving further away from the LRS licence 194911. The information we received from the surveyor which is attached, indicates that it is indeed closer. Specifically, it is currently 275 metres from the entrance door of the Roland's LRS 194911 to the entrance door of the current GLS location.

It is 275 metres from the Roland's LRS 194911 front door to the easterly boundary of the proposed new GLS site which is the furthest boundary away from Roland's in the proposed GLS site.

Our purpose in writing this letter is to alert your staff that any proposed relocation of the GLS to the new site at 2010 Innsbruck Drive would not meet the regulatory requirements and if different facts are represented for such a relocation they should be aware of the above. Thank you,

Yours truly,

MAIR-JENSEN BLAIR LLP


DENNIS P. COATES, Q.C.

Legal Assistant for



REPLY TO: Dennis P. Coates
DIRECT LINE: (250) 372-4923
email: dpc@mjbblaw.com
LEGAL ASSISTANT: Anita Moore-Nikoras
DIRECT LINE: (604) 559-9114
email: anita@mjbblaw.com

Our File: 30158-01

February 6, 2018

VIA EMAIL: Suzanne.Bell@gov.bc.ca

Liquor Control & Licensing Branch
4th Floor, 3350 Douglas Street
Victoria, BC V8Z 3L1

Attention: Suzanne Bell, Deputy General Manager of Licensing

Dear Ms. Bell:

RE: Roland's Creekside Liquor Store LRS #194911 – 2129 Lake Placid Rd., Whistler, BC
Whistler Creekside GLS 195 – #205 – 2071 Lake Placid Rd., Whistler, BC
Proposed New GLS 195 Location: 2011 Innsbruck Dr., Whistler, BC

We are writing further to our letter to you dated August 10, 2017 regarding the above, a copy of which is enclosed for your easy reference.

We understand the relocation of the GLS 195 is set to go to a Public Hearing February 6, 2018 at the Resort Municipality of Whistler ("RMOW") for the requisite rezoning application to allow for liquor retail use at the proposed new site.

In our previous correspondence and emails, we indicated that GLS 195 was planning to relocate to 2010 Innsbruck Drive, Whistler, which is closer to Roland's LRS than the current GLS location and, therefore, would not be permitted by the LCLB. GLS 195 is, instead, proposing to move to 2011 Innsbruck Drive, which is slightly farther from Roland's LRS than the current GLS location. The rezoning application covers both 2010 and 2011 Innsbruck, which are both located on the same Parcel Identifier Number (PID).

We have very serious concerns that this could create an opportunity to for a second, subsequent relocation to move the GLS into 2010 Innsbruck Drive, which is closer to Roland's LRS. Moving to a location which is closer to the existing Roland's LRS is contrary to the current LCLB regulations and would not be permitted.

We previously provided you with a surveyor's calculations, which confirmed that is 264.6 metres from Roland's LRS entrance door to the easterly boundary of 2010 Innsbruck, which is the farthest boundary away from Roland's LRS. The surveyor also confirmed the measurement from the entrance door of Roland's LRS to the entrance door of the current GLS 195, which is 275 metres. The surveyor's measurement clearly confirms that the 2010 Innsbruck Drive site is closer to Roland's LRS than the current GLS 195 site.

Our concern lies in the fact that 2010 and 2011 Innsbruck Drive are both located on the same PID. This means that the 2011 address could be approved as the new GLS 195 site and then, after relocating to 2011, GLS 195 could be approved for another, subsequent relocation to 2010 because it is on the same PID, even though it would be moving closer to Roland's LRS.

We have enclosed another copy of the surveyor's measurements, on which we have made some notes for clarification specific to this situation. We have also enclosed a site map of the subject lands, extracted from the RMOW public hearing package, on which we have also made notes to identify the sites and the PID.

There are several reasons why GLS 195 would find it more desirable to ultimately move to 2010, rather than 2011. The proposed new location at 2011 is smaller than the current GLS location and it is not visible from Highway 99. The 2010 location is larger and has excellent visibility from Highway 99 and, therefore, has the advantage of drawing from the large volume of traffic that travels along it on a daily basis.

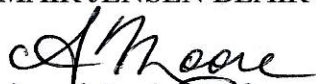
This is a loop-hole that could have such a negative impact on Roland's LRS that it would put it out of business.

Our purpose in writing this letter is to alert you and your staff to this loop-hole. We would also respectfully request that GLS 195 be permanently precluded from moving to 2010 Innsbruck Drive.

Thank you very much for your attention to this matter.

Yours truly,

MAIR JENSEN BLAIR LLP



Legal Assistant for:

DENNIS P. COATES, Q.C.

/amn

Enclosures

cc: Snowsun Ventures Ltd., Attn: Lance Bright

Subject Lands



- Creekside Plaza is an existing commercial development comprised of 2 buildings
- Located at 2010/2011 Innsbruck Drive in the Whistler Creek core commercial area
- Prominently located, highly visible on Hwy 99 & Lake Placid Road intersection
- Intersection is a primary gateway for commercial activity, main entrance to Creekside ski base & visitor accommodations

Proposed New GLS Site
at 2011 Innsbruck Dr.



THE RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V0N 1B4 TF 1 866 932 5535
www.whistler.ca FAX 604 932 8109

NOTICE OF PUBLIC HEARING

March 20, 2018 – 6:00 P.M.

MAURY YOUNG ARTS CENTRE (formerly MILLENNIUM PLACE)
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler BC

ZONING AMENDMENT BYLAW (Creekside Plaza) No. 2165, 2017

SUBJECT LANDS: 2010 and 2011 Innsbruck Drive

More specifically these lands are described as: Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204, PID: 003-021-262 and as shown on the map attached to this notice.

PURPOSE:

In general terms, the purpose of the proposed Bylaw is to modify the existing CL3 Zone regulations to allow auxiliary residential dwelling units for employee housing, increase the allowable density, increase the maximum site coverage and include additional regulations pertaining to the auxiliary residential dwelling units for employee housing. The proposed Bylaw is as revised by Council on March 6, 2018 to remove liquor retail sales use from the proposed Bylaw.

INSPECTION OF DOCUMENTS:

A copy of the proposed Bylaw and relevant background documentation, including representations made to the Council in connection with the February 6 hearing, may be inspected at the Reception Desk of Municipal Hall at 4325 Blackcomb Way, Whistler, BC, during regular office hours of 8:00 a.m. to 4:30 p.m., from Monday to Friday (statutory holidays excluded) from March 8th, 2018 to and including March 20th, 2018.

PUBLIC PARTICIPATION:

All persons, who believe their interest in the property is affected by the proposed Bylaw, will be afforded a reasonable opportunity to be heard by Council at the Public Hearing.

Written comments must be addressed to "Mayor and Council", and may be submitted prior to the public hearing (by 4:30 p.m. on March 20th, 2018):

Email: corporate@whistler.ca
Fax: 604-935-8109
Hard Copy: Legislative Services Department
4325 Blackcomb Way
Whistler BC V0N 1B4

Submissions received for the proposed Bylaw will be included in the information package for Council's consideration, which will also be available on our website at www.whistler.ca with other associated information.

After the conclusion of this Public Hearing, Council cannot receive representations from the public on the proposed Bylaw.

SUBJECT LAND

**RESORT MUNICIPALITY OF WHISTLER
ZONING AND PARKING AMENDMENT BYLAW NO. 2165, 2017**

A BYLAW TO AMEND THE WHISTLER ZONING AND PARKING BYLAW NO. 303, 2015

WHEREAS Council may, in a zoning bylaw pursuant to *Section 479 of the Local Government Act*, divide all or part of the area of the Municipality into zones, name each zone and establish the boundaries of the zones, regulate the use of land, buildings and structures within the zones, and require the provision of parking 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 (Creekside Plaza) No. 2165, 2017”.
2. Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 is amended in Part 9 section 6 by replacing the regulations for the CL3 zone with the regulations attached to and forming part of this Bylaw as Schedule 1.

GIVEN FIRST READING this 23rd day of January, 2018.

GIVEN SECOND READING this 23rd day of January, 2018.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this 6th day of February, 2018.

SECOND READING RESCINDED this 6th day of March, 2018.

GIVEN SECOND READING AS REVISED this 6th day of March, 2018.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this ____ day of ____, 2018.

GIVEN THIRD READING this __ day of ____, 2018.

Approved by the Minister of Transportation and Infrastructure this __ day of ____, 2018.

ADOPTED by the Council this __ day of ____, 2018.

Nancy Wilhelm-Morden,
Mayor

Brooke Browning,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017."

Brooke Browning,
Municipal Clerk

SCHEDULE 1

6. CL3 Zone (Commercial Local Three)

Intent

- (1) The intent of this zone is to provide for small commercial uses and auxiliary employee housing, adjacent to a residential area.

Permitted Uses

- (2) The following uses are permitted and all other uses are prohibited:
 - (a) auxiliary buildings and auxiliary uses;
 - (b) residential dwelling units for employee housing, auxiliary to other uses located in the CL3 zone;
 - (c) restaurant and establishments licenced for the sale and consumption of alcoholic beverages on the premises;
 - (d) office;
 - (e) personal services; and
 - (f) retail.
- (3) The second storey of a principal building shall not be used for retail or restaurant uses.
- (4) No portion of the first storey of a building may be used for auxiliary residential dwelling units.
- (5) Auxiliary residential dwelling units are permitted only in the building in the CL3 zone that is nearest the intersection of Lake Placid Drive and the Sea to Sky Highway.

Density

- (6) The maximum permitted floor space ratio is 0.48.
- (7) The maximum permitted gross floor area of buildings and structures for all uses in the CL3 zone is 1,515 square metres, of which not more than 263 square metres shall be for auxiliary residential dwelling use for employee housing.

Height

- (8) The maximum permitted height of a building is 7.6 metres.

Parcel Size

- (9) The minimum permitted parcel area is 2,500 square metres. The minimum frontage is 1/10th of parcel perimeter.

Site Coverage

- (10) The maximum permitted site coverage is 27 percent.



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 6, 2018
FROM: Resort Experience
SUBJECT: RZ1132 – 2010-2011 INNSBRUCK DRIVE – REVISED CL3 ZONE AMENDMENTS FOR CREEKSIDE PLAZA

REPORT: 18-022
FILE: RZ1132

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider rescinding second reading of “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” and revising the Bylaw to correct the civic address of the permitted packaged liquor sales use in the amendment of Schedule “D” to the “Zoning and Parking Bylaw No. 303, 2015” to 2011 Innsbruck Drive, and to add to the CL3 Zone Regulations an additional regulation: “Retail sale of packaged liquor is permitted only in the building in the CL3 zone that is furthest from the intersection of Lake Placid Road and the Sea to Sky Highway.”;

That Council consider giving second reading to “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” as revised; and further

That Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” as revised.

REFERENCES

Location: 2010 and 2011 Innsbruck Drive
Legal Description: Lot 30, except Part in Plan 21390, Block F District Lot 4749 Plan 20204
Owner: Creekside Plaza Lands Ltd., Inc. No. 0877330
Current Zoning: CL3 Zone (Commercial Local Three)
Appendices: “A” – Location Map

PURPOSE OF REPORT

The purpose of this Report is to follow up with Council on the Public Hearing held on February 6, 2018 for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

DISCUSSION

Background

On January 23, 2018 Council gave first and second readings to “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” and authorized staff to schedule a Public Hearing.

Notification procedures as per the Resort Municipality of Whistler “Land Use Procedures and Fees Bylaw No. 2019, 2012” were followed for a Public Hearing to be held on February 6, 2018 for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

On February 6, 2018 at the Public Hearing some speakers raised concerns regarding the civic address for the proposed liquor retail store (2010 Innsbruck Drive) listed for amending Schedule “D” to “Zoning and Parking Bylaw No. 303, 2015”. The Public Hearing was concluded on February 6, 2018.

Analysis

The Schedule “D” amendment erroneously referenced 2010 Innsbruck Drive rather than 2011 Innsbruck Drive. In addition to correcting this error, staff recommend for certainty an additional regulation for the CL3 zone that is independent of the civic addresses of existing buildings, as follows:

“Retail sale of packaged liquor is permitted only in the building in the CL3 zone that is furthest from the intersection of Lake Placid Road and the Sea to Sky Highway.”

Because correction of the Schedule “D” error changes the location of a permitted use, the *Local Government Act* requires an additional Public Hearing on the Bylaw. Council may properly consider, on any motion to give third reading to the Bylaw, all representations that were made at the February 6, 2018 Public Hearing, and the staff summary of Public Hearing representations on this Bylaw will address both Public Hearings. Procedurally, revision of the Bylaw requires that second reading be rescinded, since third reading cannot occur until after any required Public Hearing on the proposed Bylaw and two readings have already occurred.

Staff recommend that this application advance through the Public Hearing process to consideration of third reading on the basis of approval conditions recommended by staff and endorsed by Council at its January 23, 2018 Regular Council Meeting. As per those recommendations, any consideration of adoption of the application would be subject to:

1. Registration of a development covenant in favour of the Resort Municipality of Whistler (“RMOW”) to secure development of the proposed new building and site improvements consistent with plans to be finalized prior to adoption;
2. Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site;
3. Registration of a green building covenant consistent with the RMOW’s Green Building Policy;
4. Submission of a final waste and recycling plan that is consistent with “Solid Waste Bylaw No. 2139, 2017”; and
5. Submission of a snow shed report.

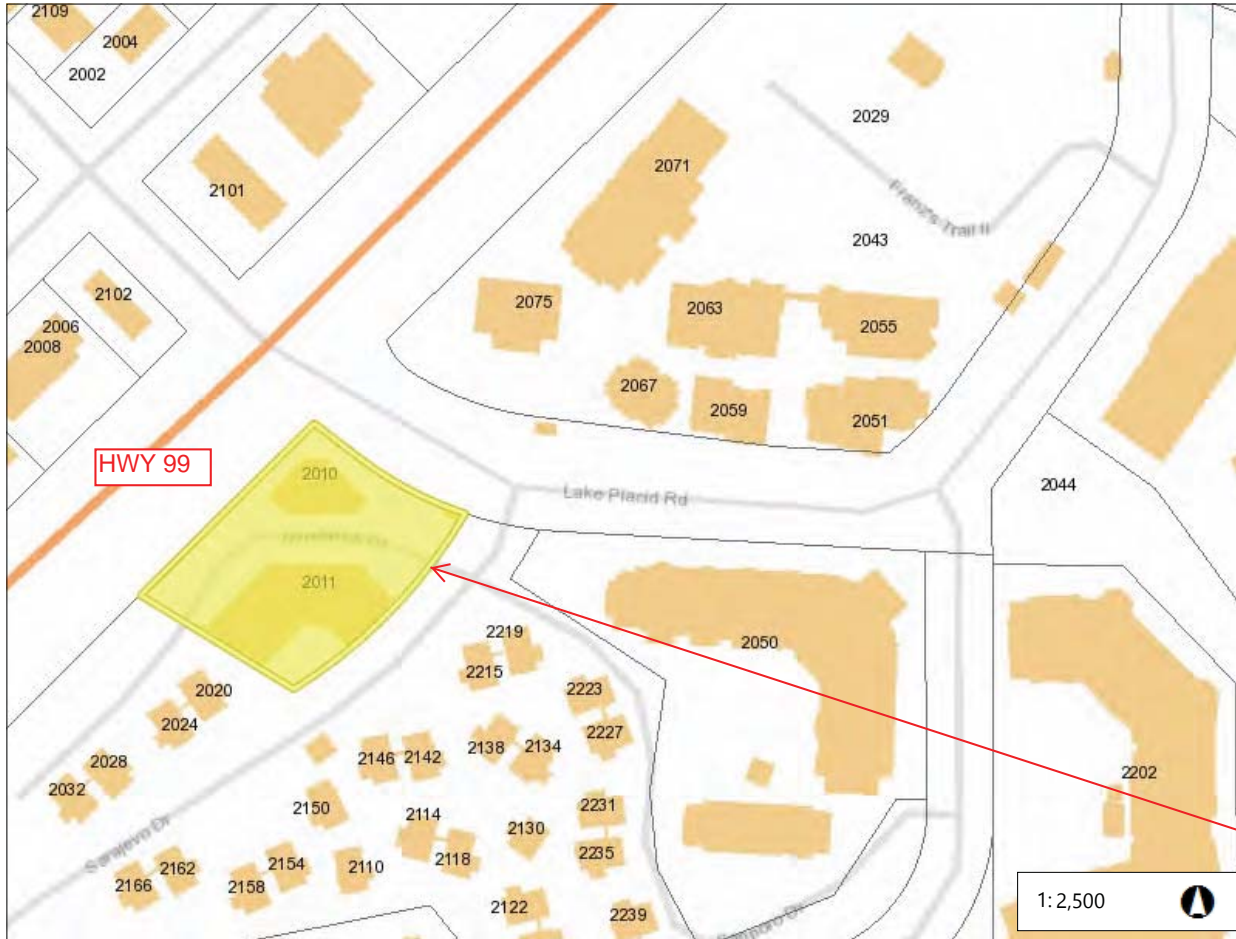
SUMMARY

This Report recommends that Council consider rescinding second reading of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, that Council consider giving second reading to a revised “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”, and that Council direct staff to schedule a further Public Hearing regarding the revised “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

Respectfully submitted,

Robert Brennan
PLANNER

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE



Legend

- Civic Addresses
- Parcels
- Street Names (Web)
- Buildings (Web)
- Roads (Web)
 - Highway
 - Strata
 - Major Road
 - Minor Road
 - Collector Minor
 - Local
 - Lane
 - Restricted
 - Service
- Lakes (Web)
- Lakes FWA (Web)
- Streams (Web)
 - Stream Breaklines
 - Minor Watercourses
- Rivers (Web)
- Municipal Parks (Web)

Subject Property

127.0 0 63.50 127.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere

The information displayed on this site is provided as a public service by the Resort Municipality of Whistler.
Use of this site acknowledges acceptance of the Terms and Conditions

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

For Internal Use Only



RZ1132

2010 & 2011 Innsbruck Drive – Revised CL3 Zone Amendments for Creekside Plaza

Council Presentation

March 6, 2018

RESORT MUNICIPALITY OF WHISTLER

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

TEL 604 932 5535
TF 1 866 932 5535
FAX 604 935 8109



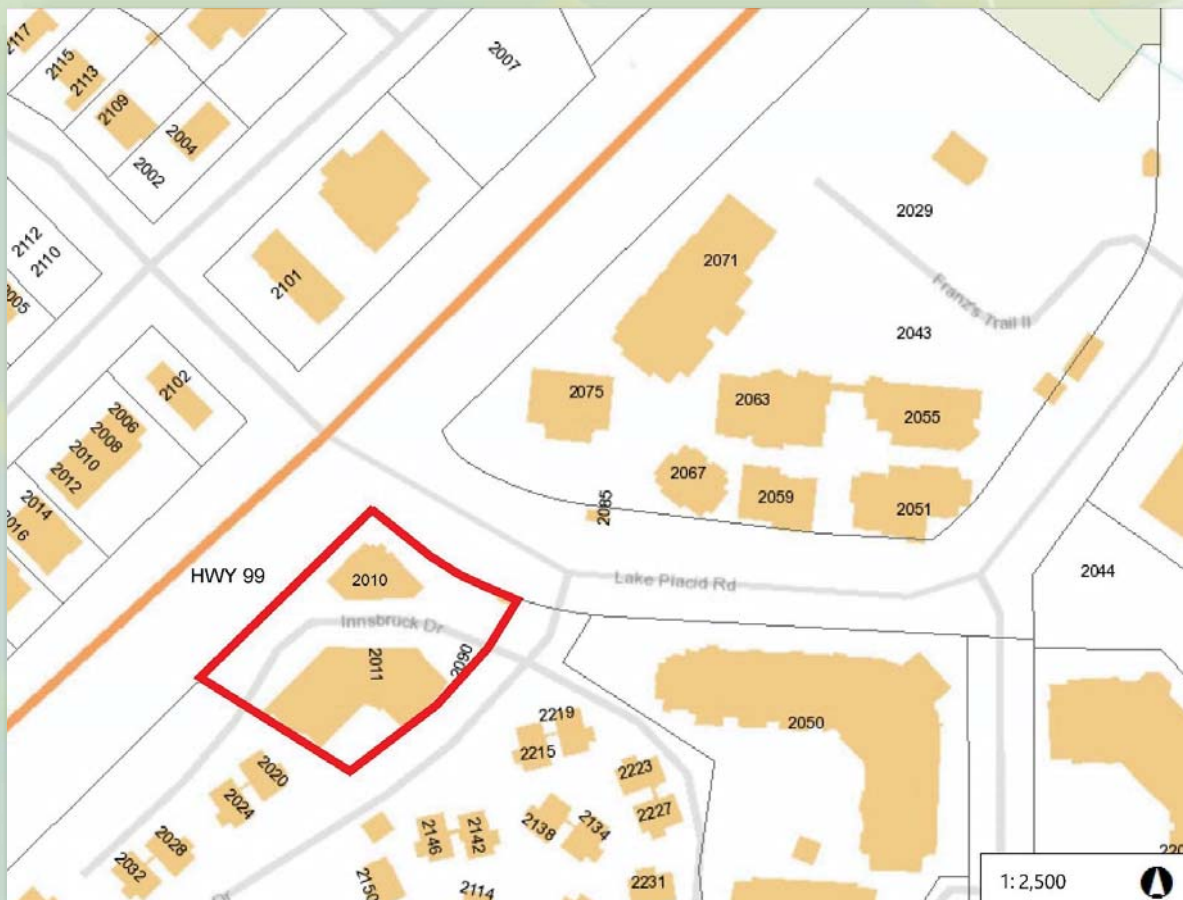
Purpose

- To present “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” as revised, for Council consideration of 2nd reading.
 - Bylaw revised to fix an address error, add further certainty, respecting location of proposed liquor retail store use

Background

- January 23, 2018 - Council gave 1st & 2nd readings to Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017
- February 6, 2018 - Public Hearing for Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017
 - Concerns raised regarding the address for the proposed retail liquor store use

Subject Lands



- 2010 and 2011 Innsbruck Drive
- Creekside Plaza

Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017 – As revised

- Revised to:

- ✓ amend Schedule “D” to reflect the correct address for the proposed liquor retail store as 2011 Innsbruck Drive.
- ✓ add the following additional regulation to the CL3 Zone :
“Retail sale of packaged liquor is permitted only in the building in the CL3 Zone that is furthest from the intersection of Lake Placid Road and the Sea to Sky Highway.”

Conditions Prior to Bylaw Adoption

- Staff recommend that the revised bylaw advance to Public Hearing and consideration of 3rd reading on the basis of approval conditions recommended by staff and endorsed by Council at its Jan 23, 2018 Council Meeting:
 1. Registration of a development covenant in favour of the RMOW to secure development of the proposed new building and site improvements consistent with plans to be finalized prior to adoption;
 2. Registration of a housing agreement in favour of the RMOW for the auxiliary residential dwelling units for employee housing for businesses on site;
 3. Registration of a green building covenant consistent with the RMOW's Green Building Policy;
 4. Submission of a final waste and recycling plan that is consistent with "Solid Waste Bylaw No. 2139, 2017";
 5. Submission of a snow shed report.

Community Engagement and Consultation

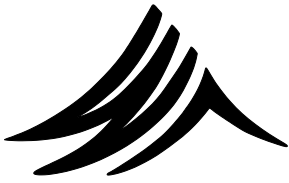
- Required rezoning application site information sign is posted on the property.
- A Public Hearing adhering to advertising requirements is required for “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” as revised.

Recommendation

That Council consider rescinding second reading of “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” and revising the Bylaw to correct the civic address of the permitted packaged liquor sales use in the amendment of Schedule “D” to the “Zoning and Parking Bylaw No. 303, 2015” to 2011 Innsbruck Drive, & to add to the CL3 Zone Regulations an additional regulation: “Retail sale of packaged liquor is permitted only in the building in the CL3 zone that is furthest from the intersection of Lake Placid Road and the Sea to Sky Highway”;

That Council consider giving second reading to “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017” as revised; and further,

That Council authorize staff to schedule a Public Hearing for the revised “Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017”.



WHISTLER

MINUTES

**PUBLIC HEARING OF MUNICIPAL COUNCIL
TUESDAY, FEBRUARY 6, 2018 STARTING AT 6:00 P.M.**

**In the Franz Wilhelmssen Theatre at Maury Young Arts Centre
4335 Blackcomb Way, Whistler, BC V0N 1B4**

PRESENT:

Mayor: N. Wilhelm-Morden
Councillors: S. Anderson, J. Crompton, J. Grills, C. Jewett
and S. Maxwell

Chief Administrative Officer, M. Furey
Acting General Manager of Infrastructure Services, J. Ertel
Acting General Manager of Corporate and Community Services, K. Ing
General Manager of Resort Experience, J. Jansen
Director of Planning, M. Kirkegaard
Municipal Clerk, B. Browning
Manager of Communications, M. Comeau
Senior Planner, M. Laidlaw
Senior Planner, J. Belobaba
Planner, R. Brennan
Council Coordinator, S. Termuende

ABSENT: Councillor J. Ford

This Public Hearing is convened pursuant to section 464 of the *Local Government Act* to allow the public to make representations to Council respecting matters contained in "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" (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, the purpose of the "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" is to amend "Zoning and Parking Bylaw No. 303, 2015" to amend the CL3 (Commercial Local Three) Zone, which is a site specific zone that applies to Creekside Plaza

MINUTES

Public Hearing: Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

February 6, 2018

Page 2

located at 2010 and 2011 Innsbruck Drive.

Submissions from
the Public

Mayor Wilhelm-Morden called for submissions by the public.

Saad Hasan,
Manager, Lodging
Ovations and
Franz's Trail
Retail Complex
2036 London Lane

Mr. Hasan stated that "Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017" does not do any service to the Franz's Trail Retail Complex nor to the guests of the three surrounding hotels. Mr. Hasan requested that the zoning remain the same and the BC Liquor Store be kept where it is currently. Mr. Hasan stated that he did recognize that this development does have employee restricted housing dedicated to it however noted that he felt this was a play to get the zoning for the new location for the BC Liquor Store.

Mark Charland
5-2040 Innsbruck
Drive

Mr. Charland expressed concern of the placement of the BC Liquor Store in relation to parking, increased traffic and potential unauthorized use of the Gondola Village parking spaces. Mr. Charland stated that he was not sure if there are any contingency plans to address the use of unauthorized parking in Gondola Village. Mr. Charland stated that the Creekside Village has expressed concerns of removing of waste and unloading of supplies from the site given the large trailers involved. Mr. Charland stated he has not seen any information addressing mitigation for this high impact area.

Heinz Laub
1-2124 Sarajevo
Drive

Mr. Laub said he liked the idea of redeveloping where the Boston Pizza used to be. Mr. Laub expressed concern regarding the relocation of the BC Liquor Store for traffic concerns to Innsbruck, Sarajevo and Gondola Village. Mr. Laub also sought clarification regarding where the proposed 60 parking spots go.

Mark Sager
2316 Gondola Way

Mr. Sager stated that moving the BC Liquor Store across the street is a step backwards. Mr. Sager stated that the system in place works. Mr. Sager noted that he felt there was not enough notice given to residents and felt ill prepared to even respond. Mr. Sager stated he would like to see the redevelopment the Boston Pizza site but said he would not like this done at the expense of the Creekside Village that is working and that already has too many vacancies.

Lance Bright,
Director
Snowsun
Ventures
2129 Lake
Placid Road

Mr. Bright stated that he does not object to redevelopment of the Boston Pizza building but stated that it is impossible for a private liquor store to compete with a large commercial operation. Mr. Bright stated that he does not object to the rejuvenation of the Boston Pizza building. Mr. Bright sought clarification regarding the PID number and zoning for 2010 and 2011 Innsbruck Drive. Mr. Bright discussed the associated Administrative Report to Council. Mr. Bright expressed concern that BC Liquor Stores are not subject to municipal zoning. Mr. Bright discussed the proposed Bylaw.

Mitch Foster
5-2130 Sarajevo
Drive

Mr. Foster expressed concern over his parking space being used by customers of the Creekside Plaza and noted this has occurred for 25 years. Mr. Foster clarified he is not opposed to the development of the property but

MINUTES

Public Hearing: Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

February 6, 2018

Page 3

opposed to the rezoning of the property to allow a BC Liquor Store in the proposed location due to parking and traffic concerns. Mr. Foster suggested that proper notice was not given to surrounding residents within a reasonable distance. Mr. Foster stated that owners of Gondola Village needed to be notified. Mr. Foster noted that most owners do not live in Whistler and do not read the local newspaper. Mr. Foster referenced the *Local Government Act* and the need for the notice to state the times and dates where the proposed Bylaw can be inspected. Mr. Foster requested that the Public Hearing be adjourned due to the lack of Notice given.

Mayor Nancy Wilhelm-Morden stated that the Public Hearing will not be adjourned and stated that Council trusts that staff have met all notice requirements. She further stated that if it is found that notice requirements have not been met, this may result in rescheduling the Public Hearing.

Johnathan Kirby
Practice Manager,
Coast Mountain
Veterinary Services
203-2011
Innsbruck Drive

Mr. Kirby stated that he supports the development proposal and the rezoning application as the BC Liquor Store will bring additional walk-by traffic and business.

Ron Orre
2089 Squaw
Valley Crescent

Mr. Orre stated that he checked his mailbox last Friday and did not receive notice. Mr. Orre expressed support of the Creekside Plaza status quo. Mr. Orre stated that the current BC Liquor Store model is to be located by a grocery store, so he does not support the moving of the BC Liquor Store. Mr. Orre stated that he did not understand the move to the sushi site but understood the move to the Boston Pizza site, however, noted that building does not meet the Liquor Distribution Branch's own rules of distance between establishments. Mr. Orre stated that steps need to be taken to prevent the BC Liquor Store from ever moving within the distance boundary at 2010 Innsbruck Drive on the same PID number as 2011 Innsbruck Drive.

Ray Zage
329 – 2055 Lake
Placid Road
Owner of Franz's
Trail

Mr. Zage noted that as a business owner he wanted to respect local businesses and felt the move of the BC Liquor Store is unhelpful for those looking to get everything in one place. Mr. Zage noted that traffic flow and pedestrian flow due to the move of the BC Liquor Store could create a safety issue. Mr. Zage noted he really does not understand the commercial motivations for the move when Creekside Plaza already needs to fill vacant space.

Lydia Pullman
2158 Sarajevo
Drive

Ms. Pullman expressed safety concerns while walking on the pedestrian crossing at Gondola Village and noted it is especially dangerous on the weekends and during heavy snowfall with the creation of blind corners. Ms. Pullman noted that the addition of more cars and foot traffic means increasing the potential for accidents. Ms. Pullman also expressed safety concerns regarding the crosswalks in front of the underground parking for Gondola Village as well as multiple near car accidents in the Gondola Village parking lot. Ms. Pullman expressed the potential problem of turning

MINUTES

Public Hearing: Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

February 6, 2018

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| | left and the increased wait times and reduced passenger pick up abilities for the bus. |
| Brent Murdoch 106-4319 Main Street | Mr. Murdoch read aloud a letter in support of Rezoning Application No. 1132 – Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017, submitted by Jason Ho, Director of Real Estate for the Liquor Distribution Branch. |
| Karen Roland 23-2129 Lake Placid Road | Ms. Roland stated that she cannot compete with extended hours, and added refrigeration of the BC Liquor Store. She stated that all of these aspects have affected Roland's Beer and Wine Store's sales. She stated that if the BC Liquor Store is allowed to move, that is further going to infringe on Roland's sales and quite possibly be forced to close because it will not be worth it to stay open while restricted to current hours. |
| Dan Jekubik Owner of Creekside Plaza | <p>Mr. Jekubik stated that there will be four units of employee housing in the Creekside Plaza redevelopment. Mr. Jekubik noted that in Creekside Plaza, half the time the parking lot is empty, and stated that in terms of enforcement, the strata enforces the parking limits and the Gondola Village stalls, often within 20 minutes. Mr. Jekubik stated that he did not believe that BC Liquor Stores can do whatever they want, as they are under same licensing as private liquor stores. He clarified that the proposed BC Liquor Store is not intended to move in to Boston Pizza location.</p> <p>Mr. Jekubik stated that there have been lots of vacancies over last eight years in Creekside Plaza and that he can count on two hands how many months the Plaza has been fully occupied. Mr. Jekubik stated that a big issue for tenants has been housing and as a result, decided to have this added to the proposal. Mr. Jekubik expressed concern regarding not having an anchor tenant and sees an opportunity for BC Liquor Store to be that anchor tenant.</p> |
| Mark Charland 5-2040 Innsbruck Drive | Mr. Charland stated he frequents the Creekside businesses. He stated that traffic is a problem already at the entry point and at various times parking is a problem. Mr. Charland stated that pedestrian safety is a problem and noted that the crosswalk is very dangerous on Sundays at the ingress and egress routes. Mr. Charland stated that short duration, in and out parking makes no sense. Mr. Charland requested that a further Public Hearing be held. |
| Shannon Klassen 4200 Whistler Way Get the Goods | Ms. Klassen stated that putting the BC Liquor Store across the way where there are young families and children does not make sense. Ms. Klassen stated that she does not feel that moving a core business to another location helps. Ms. Klassen stated that she supports the redevelopment of the buildings, but argued that the types of businesses need to support the community on that side of the street. Ms. Klassen stated that she is advocating for the Zage family to make the area commercially viable. |
| Ashley McIvor 2050 Lake Placid Road | Ms. McIvor stated that she personally has almost been hit several times crossing Lake Placid Road. Ms. McIvor expressed concern of increased accidents and does not understand why anyone would support the BC |

MINUTES

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Liquor Store moving for economic viability reasons as there are other developments in the area to consider. Ms. McIvor stated that she is advocating for the Zage family to make the area inviting.

| | |
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| Submissions from the Public | Mayor Wilhelm-Morden called twice more for submissions by the public. |
| Dan Jekubik Owner of Creekside Plaza | Mr. Jekubik stated that he was not sure of the longer term plans for the BC Liquor Store regarding if they would stay in their current Franz's Trail location should this rezoning application be unsuccessful. Mr. Jekubik stated that Creekside Plaza is offering the BC Liquor Store a 10 year lease with lots of options. |
| Lance Bright Director Snowsun Ventures 2129 Lake Placid Road | Mr. Bright stated that he had not been notified of this meeting tonight. He stated that not one of Roland's staff had received any notice. |
| Mitch Foster 5-2130 Sarajevo Drive | Mr. Foster stated that Franz's Trail development is a beautiful area. Mr. Foster stated that Mr. Zage should be supported in being restrictive. Mr. Foster stated that Franz's Trail is the commercial area in Creekside, and the other side of the road is a residential area and a BC Liquor Store does not belong in a residential area. |
| Saad Hasan Manager, Lodging Ovations and Franz's Trail Retail Complex 2036 London Lane | Mr. Hasan stated that regardless of whether the BC Liquor Store stays or goes, Franz's Trail still has package liquor zoning, however by offering that zoning to the Creekside Plaza through this Bylaw, Council takes away zoning from Franz's Trail by nature of the LCB distance requirements. |
| Tracey Rozsypalek 2055 Lake Placid Road | Ms. Rozsypalek stated that there is a reason for the small residential zoning. She stated that in regards to the notice, just today was notice received regarding the Public Hearing. |
| Submissions from the Public | Mayor Wilhelm-Morden called three more times for submissions by the public. |
| Ray Zage 329 – 2055 Lake Placid Road Owner of Franz's Trail | Mr. Zage stated that he did not receive notification. He said that he heard about it through word of mouth, and noted that he travelled from Asia just to attend the Public Hearing. |
| Submissions from the Public | Mayor Wilhelm-Morden called three more times for submissions by the public. |

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Public Hearing: Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017

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Correspondence The Municipal Clerk Brooke Browning indicated that 13 pieces of correspondence had been received, seven in support and six in opposition regarding the proposed Bylaw.

ADJOURNMENT

Hearing no further comments, the Public Hearing was adjourned at 7:21 p.m.

Mayor, N. Wilhelm-Morden

Municipal Clerk, B. Browning

BYLAWS FOR RESCINDING SECOND READING

Zoning
Amendment
Bylaw
(Creekside Plaza)
No. 2165, 2017

Moved by Councillor J. Ford
Seconded by Councillor J. Crompton

That Council rescind second reading of “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017”.

CARRIED

BYLAWS FOR SECOND READING AS REVISED

Zoning
Amendment
Bylaw
(Creekside Plaza)
No. 2165, 2017

Moved by Councillor J. Ford
Seconded by Councillor J. Crompton

That “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” be given second reading as revised.

Moved by Councillor J. Crompton
Seconded by Councillor J. Ford

That “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” be amended to exclude the sale of packaged liquor.

CARRIED

That “Zoning Amendment Bylaw (Creekside Plaza) No. 2165, 2017” be given second reading as amended to exclude the sale of packaged liquor and as revised.

CARRIED

BYLAWS FOR FIRST, SECOND AND THIRD READINGS

Bylaw Notice
Enforcement
Bylaw
No. 2174, 2018

Moved by Councillor J. Grills
Seconded by Councillor C. Jewett

That “Bylaw Notice Enforcement Bylaw No. 2174, 2018” be given first, second and third readings.

CARRIED

CORRESPONDENCE

Support of
RZ1144 –
2077
Garibaldi Way
File No. RZ1144

Moved by Councillor J. Crompton
Seconded by Councillor J. Ford

That correspondence, received from February 14, 2018 through February 28, 2018, expressing support for Rezoning Application No. 1144 – 2077 Garibaldi Way from the following individuals be received and referred to staff:

- Christopher Bozman, Canadian Home Builders' Association Sea to Sky;
- Adrienne Deeks, Owner, Ruby Tuesday Accessories Ltd.;
- Russel McNolty, on behalf of Rob Velonosi, Rainbow Electric; and
- Chris Watson, Travel Consultant, Tourism Whistler.

CARRIED

Opposition to
RZ1144 –

Moved by Councillor J. Grills
Seconded by Councillor C. Jewett

Karen Olineck

To: Shelley Termuende
Subject: RE: 2010 and 2011 Innsbruck Dr

From: Samurai Sushi [<mailto:samuraisushi10@gmail.com>]

Sent: Sunday, February 11, 2018 10:59 AM

To: corporate <corporate@whistler.ca>

Subject: 2010 and 2011 Innsbruck Dr

Dear Mayor and Council,

I am writing to express my support for 2010 and 2011 Innsbruck Dr.

I own Samurai Sushi and have been a long term tenant at 2010 Innsbruck. We are very pleased that the owners have a plan to rejuvenate the plaza, and to add employee housing. Lack of sufficient employee housing is one of our biggest challenges in attracting staff and being able to provide housing on-site is a big advantage.

thanks

Ru Mehta



Mayor& Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, B.C.

Dear Mayor& Council

On behalf of Nita Lake Lodge, I am writing in opposition to RZ1132, the proposed rezoning of Creekside Plaza to allow liquor retail sales at 2010 and 2011 Innsbruck Drive.

I have learned of this proposal from articles in the Pique and the word of mouth stemming from a Public Hearing that I regretfully was not able to attend.

Nita Lake Lodge is the only full service hotel within Creekside and is a thriving and important part of the Creekside community. For the visitors to Whistler, Creekside offers a unique perspective to the Whistler experience which harkens back to the beginnings and roots of Whistler. For the residents of Creekside, we provide a convenient, affordable and enjoyable F&B/hospitality experience ranging from Fix café to Cure Lounge and our newly remodelled Aura Restaurant. I can assure you that these amenities are used by visitors and residents alike.

I oppose RZ 1132 on several fronts. First, many of our hotel guests take the safe and secure pathway from the hotel to the Creekside Gondola for access to the mountain. As part of this stroll they follow the heated path right through Franz's Trail and have convenient access to grocery, liquor, banking and other amenities useful to my guests. Running a Business in Creekside, I was thrilled to hear that Franz's trail has finally been acquired by new and motivated owners who are looking to rejuvenate/revitalize this area of Creekside Village. Our guests are already talking about the new store Get The Goods.

I strongly oppose any municipal action that would impede the success of Franz's Trail and detract from my guests' experience as they commute to and from the mountain.





Forcing my guests to cross Lake Placid Road in an uncontrolled crossing with skis, groceries, etc is a dangerous and completely illogical move and should be rejected by Council.

I also oppose RZ 1132 on the basis of support for the local businesses. Roland's has been a long time fixture in Creekside and provides an invaluable service to both the residents and visitors. It gives a glimpse of the "old" Whistler to our many visitors and helps preserve the roots of Whistler which so many residents are attracted to. While competition exists for all businesses, it is not incumbent upon Council to facilitate a Government Agency (LDB) to encroach upon a long standing local business.

My understanding is that current regulations prohibit liquor stores from relocating within 1 km of each other but "grandfathering" provisions do permit some relocation of existing stores within the 1 km as long as the stores do not move closer. I also understand that 2010 Innsbruck is part of the rezoning proposal and is in fact, slightly closer to the Roland's LRS than the existing store. On this basis alone, Council should reject the proposal.

Council needs to respect and protect the wishes of its residents and the local business community that help sustain Creekside and create guest experiences. There is really no need for this rezoning as it is illogical, a safety hazard, an inconvenience to residents and visitors.

I appreciate your consideration and due diligence in regards to this matter.

Warm regards,

T. Ginter

Theresa Ginter
General Manager



March 6, 2018

Mayor & Council
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler, B.C.

Dear Mayor & Council,

RE: Zoning Amendment Bylaw (Creekside Plaza), No. 2165, 2017

Though we are unable to attend the Council meeting today, we wanted to express our gratitude to the RMOW staff and Council for their time and effort spent on matters as they relate to the rezoning of Creekside Plaza. We appreciate that our views were heard at the public hearing on February 6th and that questions and comments are being addressed as evidenced by the recommendation to revise the proposed bylaw and scheduling a public hearing on the matter.

We look forward to further engagement and dialogue on these matters and again express our appreciation for your time.

Yours truly,

A handwritten signature in black ink, appearing to be 'Ray & Kaori Zage', written over a horizontal line.

Ray & Kaori Zage
Owners of Franz's Trail Retail Complex
Whistler Creekside

From: Chris Enns <cnenns@gmail.com>

Sent: Tuesday, March 13, 2018 9:40 AM

To: corporate

Subject: Email of support to rezone the corner of Hwy 99 and Lake Placid Road (Old Boston Pizza location) - 2010 and 2011 Innsbruck

Dear Mayor and Council,

I understand that you are currently reviewing the application to rezone the old Boston Pizza location into a mixed use retail and staff housing building.

I think this is a great idea. The corner is in dire need of revitalization. Hopefully, the developer is able to obtain enough density to make an employee housing rental building a financial reality.

This email serves as my support for the application to rezone into a mixed use building with retail on the ground floor and rental housing above.

Yours truly,

Chris Enns
8313 Rainbow Drive.

March 13, 2018

Attention: Mayor and Council
Legislative Services Department
4325 Blackcomb Way
Whistler, BC
V0N 1B4

By Email: corporate@whistler.ca

Re: Redevelopment of 2010 and 2011 Innsbruck

Dear Mayor and Council:

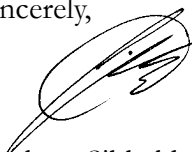
I am a strata unit owner within the Creekside Evolution property situate 2020 London Lane. We purchased our unit in early fall of 2016 and are regular users of this property.

Being relatively new to the Creekside neighbourhood we were initially struck by how little there is in the way of retail offerings. At the time we believed this was perhaps a seasonal reality and would change as the ski season or perhaps spring/summer season moved on. The reality is of course that retail vacancy and low consumer options is the norm in Whistler Creekside.

We understand that a development opportunity has been put forward for the building on the corner of Highway 99 and Lake Placid Way (the old Boston Pizza building) which would comprise retail space for existing tenants as well as employee housing above. We also understand that key to this development would be approval for the BC Liquor store to move across the street and exist as an anchor tenant. All of these proposed changes in my opinion would be an improvement to Whistler Creekside.

I am writing this letter to express my support and approval of this development. I am doing so as I believe any development aimed at improving the vibrancy of Whistler Creekside is worth supporting.

Sincerely,



Graham Sibbald,

From: Hendrik Zessel <Hendrik.Zessel@ca.cushwake.com>

Sent: Tuesday, March 13, 2018 7:30 AM

To: corporate

Cc: Max Zessel

Subject: 2010 -2011 Innsbruck Whistler Bc

Mayor and Council I have a house at 2513 Whistler Rd I am in favor of the rezoning of the above mentioned property and the relocation of the liquor store . The current location of the liquor store has some challenges ,although there is an elevator most individuals use the stairs to get back to their cars not ideal when you are carrying a box of wine. The Innsbruck location will allow the public coming from Vancouver living/vacationing outside of Creekside far better access to the liquor store then the current location . In addition it will allow the current owners to revitalize the property and enhance the entrance to Creekside and a world class resort.

Hendrik Zessel

Executive Managing Director and Western Canada Leader

Direct: +1 604 640 5803

Mobile: +1 604 290 7712

Fax: +1 604 683 0432

hendrik.zessel@ca.cushwake.com



700 West Georgia St, Suite 700

Vancouver, BC | Canada

www.cushmanwakefield.com

[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Google+](#) | [Instagram](#)

Dear Mayor and Council:

Re: Project at 2010 and 2011 Innsbruck

My wife and I own a cabin at 6562 Balsam Way. I am writing in support of the project referred to above.

I support this project because we prefer to access Whistler Mountain from Creekside and this development will in my opinion enhance our experience there. I also think that it is important for Creekside to be rejuvenated so as to ensure that the existing businesses that are operating there survive, and that Creekside continues to be a viable alternative to the Village.

I also fully support the employee housing component of the project...I think it is innovative and reflects that the developer is committed to the community.

Respectfully,

John Gorgun
(604.340.8438)

From: Alicja Kudyba [<mailto:alicja.kudyba@gmail.com>]

Sent: Thursday, March 15, 2018 4:14 PM

To: corporate <corporate@whistler.ca>

Subject: Letter of Support: March 20th, 2018 Hearing for Rezoning of 2010/2011 Innsbruck Dr. Whistler

Dear Mayor and Council Members,

As an Owner of real-estate property in Whistler, I would like to express my support for Dan Jekubik's ('Creekside Plaza Ltd.') application to rezone the corner of Highway 99 and Placid Road at Whistler Creek for the development of the old Boston Pizza into a mixed use building with retail on the ground and employee housing on the second floor.

New, additional employee housing units would be of great value to the local businesses and residential community. A new building with an attractive design, as featured in the development application, would also highly improve the overall street appeal of this highly visible corner.

Sincerely,

Alicja Kudyba-Maurer
604-351-4220
3270 Arbutus Drive,
Whistler, BC VON 1B3

From: Dale N Bickenbach [<mailto:dbick@wamail.net>]
Sent: Sunday, March 18, 2018 8:33 AM
To: corporate <corporate@whistler.ca>
Subject: Creekside Plaza, #2165, 2017

Dear Mayor and Council:

I am the owner of the Sapporo Drive unit listed below. I approve of the decision to allow auxiliary residential units at 2010 & 2011 Innsbruck Drive. My concern is parking for vehicles and these 'employees' tend to drive trucks, which occupy sufficiently more space than normal automobiles. I would hope with this construction underground parking will be planned into the project.

If a retail outlet can be accommodated, I would approve that. Perhaps, a reduced cost clothing store similar to the Whistler Community Service stores, currently, only at Function Junction. Elimination of a liquor store was a good decision by Council.

Thanks.

dnb

Dale N Bickenbach
5232 South Mason Avenue
Tacoma, Washington
98409-1817

Only Phone 253 475 5242 (Please e-mail 1st)

SKYPE: dale.n.bickenbach

OR

Quinlan/Wardle Family
8300 Mountainview Drive
Whistler, BC VON 1B8

Legislative Services Department
Resort Municipality of Whistler
4325 Blackcomb Way
Whistler BC VON 1B4

March 19, 2018

Re: Creekside Plaza Rejuvenation at 2010 and 2011 Innsbruck

Dear Mayor and Council,

I am writing to reaffirm our support for the rejuvenation and redevelopment of Creekside Plaza located at 2010/2011 Innsbruck.

This project represents an important effort to revitalize the Creekside Plaza and business opportunities within the Creekside area. More importantly, the developer's plan demonstrates a sensitivity to a pressing issue facing the Whistler community – affordable housing for employees. The decision to prioritize four employee-housing units will be an asset for commercial tenants looking to retain long-term employees.

It is our hope that Mayor and Council will support and approve this project, as more projects that integrate an affordable housing component will be critical for the long-term viability of the Whistler community.

If you have any questions regarding our letter of support, please do not hesitate to contact us at wardlek@telus.net.

Sincerely,

A handwritten signature in black ink that reads "Kathy Wardle". The signature is written in a cursive, flowing style.

Kathy Wardle & Matthew Quinlan
604-365-1415

From: Shauna Peachman [<mailto:shauna@whistlerlandscaping.ca>]

Sent: Monday, March 19, 2018 1:25 PM

To: corporate <corporate@whistler.ca>

Subject: Support for the redevelopment of 2010 & 2011 Innsbruck Drive, Whistler, BC

Dear Mayor and Council,

We support the Creekside Rejuvenation Project and specifically the addition of employee housing to the property. Any Whistler business owner that is willing to provide housing for their staff during these dire times should be fully supported.

Thank you,

Shauna Peachman & Bryce Anderson
Birkenhead Holdings Limited

From: Kim Dudra [<mailto:kim.dudra@gmail.com>]

Sent: Monday, March 19, 2018 1:45 PM

To: corporate <corporate@whistler.ca>

Subject: 2010 and 2011 Innsbruck Drive

Dear Mayor and Council,

As a homeowner in Whistler, I am writing to express my support for the rezoning and redevelopment of 2010 and 2011 Innsbruck Drive.

The project not only provides much-needed employee housing, but also will revitalize and reinvigorate the prominent Creekside entry point to Whistler with the replacement of the old and tired Boston Pizza building. The new location of the liquor store will also be more convenient than its existing location, making it more accessible to both locals and visitors alike.

Regards,
Kim & Craig Dudra
6319 Fairway Drive
Whistler, BC
V0N 1B6

March 19, 2018

Attention: Mayor and Council
Legislative Services Department
4325 Blackcomb Way
Whistler, BC
V0N 1B4

By Email: corporate@whistler.ca

Re: Redevelopment of 2010 and 2011 Innsbruck

Dear Mayor and Council:

I am a strata unit owner within the Creekside Evolution property situate 2020 London Lane. We purchased our unit in early fall of 2016 and are regular users of this property.

I am aware if the application put forward to redevelop the area directly in front of our building which would add much needed additional retail space and additional employee housing.

I am writing this letter to express my support and approval of this development. I am doing so as I believe any development aimed at improving the vibrancy of Whistler Creekside is worth supporting.

Sincerely,



Brian Lawson.

BRIAN LAWSON, 213, 2020 LONDON LANE, WHISTLER, BC, V0N 1B2
PHONE: 604 908 1556 • E-MAIL: BRIANSURETY@GMAIL.COM

March 20, 2018

Strata Corporation VR1469, Gondola Village
Sarajevo, Sapporo & Innsbruck Drives
Whistler, BC
V0N1B2

Mayor and Council
Resort Municipality of Whistler

Dear Mayor and Council,

Further to initial correspondence dated November 1, 2017, I write on behalf of Strata Corporation VR1469, Gondola Village representing continued opposition of the relocation of the existing BC Liquor Store to Creekside Plaza as outlined within the October 17, 2017 Meeting of the Municipal Council minutes. This proposal would generate additional wear and tear to the pavement and grounds which Strata Corporation VR1469 is required to repair and maintain. Furthermore, the use of this area for deliveries to Creekside Plaza will block access for Gondola Village Owner/Resident parking on Sapporo Drive. With the proposed relocation of the BC Liquor Store to Creekside Plaza, Gondola Village grounds will see increased traffic, increased parking infringements, and therefore reduced parking availability for Owners/Residents of Gondola Village.

With the understanding that the Municipal Council did not support the initial Gateway Application for re-zoning to relocate the BQ Liquor Store to Creekside Plaza, please accept this letter as continued opposition of Strata Corporation VR1469 to the proposed re-zoning at the upcoming Municipal Council Meeting scheduled to be held on March 20, 2018.

Thank you in advance for your consideration.

Alex Boatman, Strata Agent
On behalf of Strata Corporation VR1469

From: Jeff Lee [<mailto:jeff@whiskijack.ca>]
Sent: Tuesday, March 20, 2018 10:38 AM
To: corporate <corporate@whistler.ca>
Subject: Mayor and Council

Attention: Mayor and Council
RE: LBD Move and Expansion to Creekside Plaza

As a tenant of Creekside Plaza, Whiski Jack Resorts supports the move and expansion of the Liquor Store from its location at Creekside Village to the Plaza. We feel that it will benefit our business and others at this location as well as all of Creekside, with a larger and more visible store location.

We manage over 130 units in Whistler and our office operates as a check-in location for our owners and guests. It is their first physical point of contact with Whiski Jack Resorts, and a good first impression is highly valuable. Our guests have advised us that our check-in office is challenging to find. We also manage units in several condo complexes in Creekside, so are invested in the community. We have a great working relationship with Dan Jekubik, and are pleased to hear about the upcoming improvements his company will continue to make to Creekside Plaza.

We agree with the Mayor and Council that assisting his efforts to improve our guests' first impression of Whistler is very important. Approving the move of the Liquor Store as an anchor tenant will attract more retail and food service options to this location, encouraging visitors to explore other businesses in the area, without compromising convenience. We feel that his plans to build more staff housing should also be encouraged, given the current housing crisis that also affects our business. We have trouble finding and keeping staff due to the lack of affordable housing & AirBnB rentals and we feel the housing component of the development plan will also help us and the community.

We feel that businesses that offer solutions to the current housing crisis should be rewarded. Mayor and council's encouragement to improve the visibility of Creekside will have a greater overall impact to the Creekside community.
Attention: Mayor and Council

Jeff Lee
General Manager
Whiski Jack Resorts Whistler
www.whiskijackresorts.com
2011 Innsbruck Drive, Unit 107, Whistler
604-962-0220
Thank you for your consideration in helping our business.



March 20, 2018

**Resort Municipality of Whistler
Legislative Services Department
4352 Blackcomb Way
Whistler, B.C.
V0N 1B4**

Attention: Mayor and Council

Re: Creekside Plaza Zoning Amendment

Dear Mayor and Council,

We wish to express our enthusiastic support for the rejuvenation of the Creekside Plaza.

We are a business that has been operating in Whistler for over 25 years with a staff of 9 who all live and work in the area. We are also the owners of a Strata Unit in Function Junction.

Anything that can be done to increase the amount of staff housing benefits the community and all of the businesses operating in it. While we are not architects or planners, we do believe that the new building proposed will be a very significant aesthetic upgrade to what is in place at present.

Should you have any questions please do not hesitate to contact us.

Sincerely,

Haakon Industries

A handwritten signature in black ink, appearing to read 'J. Hole', written over a horizontal line.

Jack Hole
Service Division Manager

From: Michael Posnikoff [<mailto:michaelposnikoff@gmail.com>]

Sent: Tuesday, March 20, 2018 3:10 PM

To: corporate <corporate@whistler.ca>

Subject: Proposed Rezoning and Redevelopment of 2010 and 2011 Innsbruck Drive

Dear Mayor and Council,

As a long-time property owner and part-time resident of Whistler, I write in support of the proposed rezoning and redevelopment of the property located at 2010 and 2011 Innsbruck Drive. This project would provide a much needed rejuvenation for this highly visible area which is one of the first commercial developments that visitors to Whistler view when visiting our community. In addition to providing an aesthetic update to this area, the proposed development would also provide some easily accessible commercial space for residents and visitors as well as a number of employee/ staff accommodation units which are sorely needed in Whistler. I understand that the relocation of the current LDB store to this site is an important component of the viability of this project.

That being said, from my review of local newspaper articles this past month related to this project, there appear to be a number of parties that have opposed the rezoning application and the proposed relocation of the LDB store to this site. Somewhat unsurprisingly given the financial interests of these parties, it appears that the primary opponents to this project are the owner of Roland's Beer and Wine Store as well as the owner of the Franz's Trail development.

As Council is no doubt aware, the south-east corner of the Franz's Trail Development has proven to be a poorly conceived and outdated design that lacks visibility and foot traffic. The issues with this site are clearly demonstrated by the long list of tenants who have tried unsuccessfully to operate a business from this area. Rather than encouraging the owner to redevelop this area, it appears that Council is considering forcing the LDB store to remain on this inefficient and impractical site placing at risk the proposed project located at 2010 and 2011 Innsbruck Drive.

Kind regards,

Mike Posnikoff

Dear Mayor and Council,

We are unable to attend today's meeting on the Zoning Amendment for Creekside.

Being a home owner in this area that is very close to the building seeking the zoning amendment I need to let you know that I/we disapprove. I have seen staff housing, my son has lived and worked in staff housing and there is no way I want this in my neighbourhood. I would have to drive by the front of the building to get home. I have seen how staff housing is kept and the loitering that goes with it. I believe that this would effect my property and its value. I do not understand why this type of housing has to be put right when you turn into our community. This does not give a great first impression. Although I do I understand the need I believe there are better suited places. Let's keep the first entrance into Whistler beautiful.

Thanks you

Alana Toms & Rod Woodcock

3-2028 Innsbruck

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