



# 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

Page 4

	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

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

February 6, 2018

Page 5

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.

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.

MINUTES

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

February 6, 2018

Page 6

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