

WHISTLER

AGENDA

PUBLIC HEARING OF MUNICIPAL COUNCIL TUESDAY, APRIL 3, 2012 STARTING AT 6:00 PM

In the Franz Wilhelmssen Theatre at Maurice Young Millennium Place
4335 Blackcomb Way, Whistler, BC V0N 1B4

The Public Hearing is convened pursuant to Section 890 of the *Local Government Act* R.S.B.C. 1996, c. 323 to allow the public to make representations to Council regarding amendments to Whistler "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012" (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,

Zoning Amendment
Bylaw (Hilton Retail
Building) No. 1990, 2012

PURPOSE OF ZONING AMENDMENT BYLAW (HILTON RETAIL BUILDING) NO. 1990, 2012:

In general terms, the purpose of the proposed Bylaw is to increase the maximum permitted Gross Floor Area of the Subject Lands from 6,289 square metres to 6,434 square metres.

Explanation

Explanation by Municipal staff concerning the proposed Bylaw.

Submissions

Submissions by any persons concerning the proposed Bylaw.

Correspondence

Receipt of correspondence or items concerning the proposed Bylaw.

ADJOURNMENT



THE RESORT MUNICIPALITY OF WHISTLER

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

TEL 604 932 5535
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NOTICE OF PUBLIC HEARING

ZONING AMENDMENT BYLAW (HILTON RETAIL BUILDING) NO. 1990, 2012

Notice is hereby given in accordance with the *Local Government Act* RSBC, 1996, c.323 that the Council of the Resort Municipality of Whistler will hold a Public Hearing to consider representations regarding amendments to Whistler "Zoning and Parking Bylaw No. 303, 1983" (Zoning Bylaw) by means of "Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012" (the "proposed Bylaw") in the Franz Wilhelmsen Theatre at Maurice Young Millennium Place, 4335 Blackcomb Way, Whistler, British Columbia commencing at **6:00 p.m., April 3, 2012.**

AT THE HEARING the public will be allowed to make representations to Council or to present written submissions respecting matters contained in the proposed Bylaw and will be afforded a reasonable opportunity to be heard.

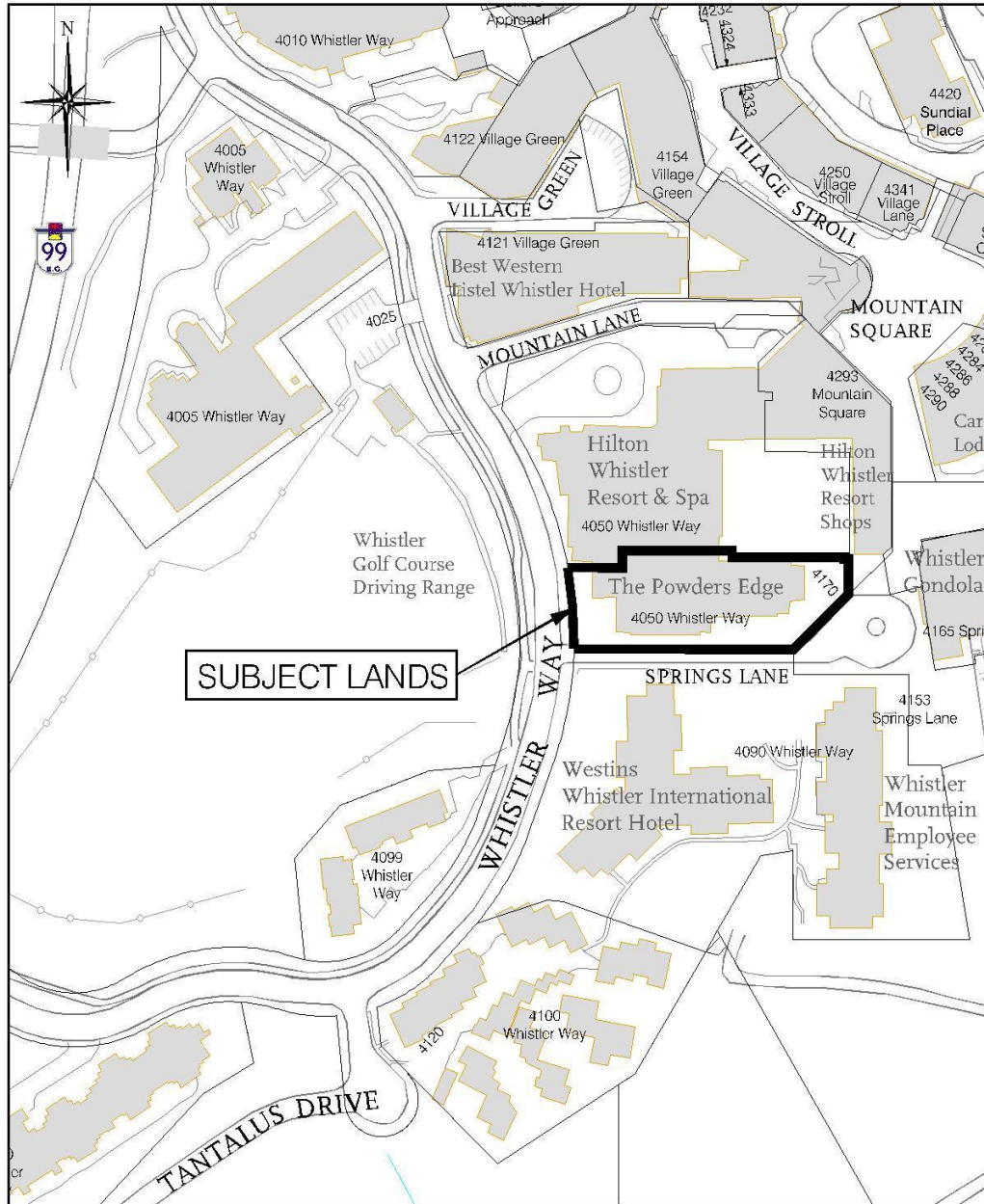
SUBJECT LANDS: The lands, which are the subject of the proposed Bylaw, are located at 4050 Whistler Way ("the Lands"). More specifically these lands are described as Lot M, DL 3020, Plan 21462 as shown outlined in bold on the map attached.

PURPOSE OF "ZONING AMENDMENT BYLAW (Hilton Retail Building) NO. 1990, 2012": In general terms, the purpose of the proposed Bylaw is to increase the maximum permitted Gross Floor Area of the Subject Lands from 6,289 square metres to 6,434 square metres.

AND FURTHER TAKE NOTICE that a copy of the aforementioned "Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012" and related documents which have been or will be considered by the Council of the Resort Municipality of Whistler may be inspected at the reception desk of Municipal Hall of the Resort Municipality of Whistler located at 4325 Blackcomb Way, Whistler, British Columbia, between the hours of 8:00 a.m. and 4:30 p.m., from Monday to Friday only, from March 22, 2012 to April 3, 2012 (inclusive) (statutory holidays excluded).

Lonny Miller
Corporate Officer

Subject Lands - 4050 Whistler Way - Bylaw 1990, 2012



RESORT MUNICIPALITY OF WHISTLER

ZONING AMENDMENT BYLAW (Hilton Retail Building) No. 1990, 2012

A Bylaw to amend the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 1983

WHEREAS the Council may in a zoning bylaw, pursuant to Sections 903 and 906 of the Local Government Act, divide all or part of the area of the Municipality into zones, define each zone, regulate the use of land, buildings and structures within the zones, and require the provision of off-street parking spaces and loading 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 (Hilton Retail Building) No. 1990, 2012".
2. Zoning and Parking Bylaw No. 303, 1983 is amended by deleting 6,289 and inserting 6,434 as the maximum permitted Gross Floor Area for Key J, Site Description Lot M, DL 3020, Plan 21462 in the table in Section 8, subsection 1.2.1.
3. If any section or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

GIVEN FIRST AND SECOND READINGS this ____ day of _____, ____.

Pursuant to Section 890 of the *Local Government Act*, a Public Hearing was held this ____ day of _____, ____.

GIVEN THIRD READING this ____ day of _____, ____.

APPROVED by the Minister of Transportation this ____ day of _____, ____.

ADOPTED by the Council this ____ day of _____, ____.

Nancy Wilhelm-Morden,
Mayor

Lonny Miller,
Corporate Officer

I HEREBY CERTIFY that this is a true
copy of "Zoning Amendment Bylaw
(Hilton Retail Building) No. 1990, 2012"

Lonny Miller,
Corporate Officer



REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: May 17, 2011

REPORT: 11-051

FROM: Resort Experience

FILE: RZ 1046

SUBJECT: 4050 WHISTLER WAY – HILTON RETAIL BUILDING

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council endorse further review of Rezoning Application No. 1046: Hilton Retail Building.

REFERENCES

Location: 4050 Whistler Way
Legal Description: Common Property, Strata Plan VR2359
Owners: Owners, Strata Plan VR2359
Current Zoning: CC1 (Commercial Core One)
Date of Application: April 18, 2011
Appendices: "A" Location Map
"B" Concept sketch

PURPOSE OF REPORT

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, have applied to amend Zoning and Parking Bylaw 303 to increase the maximum permitted density of the Hilton Whistler Resort and Spa to permit the addition of a small, freestanding retail building.

Any rezoning application received by the municipality requires Council endorsement for further review prior to the preparation of any related zoning amendment bylaws. This report describes the proposed rezoning application and seeks Council's endorsement for further review.

DISCUSSION

Background

The Hilton Whistler Resort and Spa (Hilton) is an existing hotel development located at 4050 Whistler Way in Whistler Village (Appendix "A"), with retail frontage on Mountain Square, Village Stroll and Skiers Plaza.

On November 20, 2003, Council granted development permit approval (DP 100.2) for a comprehensive renovation to the retail component of the Hilton. Part of this development permit approval was for a new 1,650 square foot stand-alone retail building accessed from the existing patio adjacent to The Lift Coffee Company (refer to Appendix B). According to the November 20, 2003 Council report, the retail building addition and associated improvements were to serve as an improved transition between the Westin and the Hilton. The existing patio area was to be modified to incorporate new landscaping, stone facing of the existing concrete walls, new paver treatment and a ramp access. A new pedestrian sidewalk was to be provided from the south end of the Hilton retail shops to a crosswalk at the top of Springs Lane to assist in separating pedestrians and

vehicles in the highly congested Springs Lane cul-de-sac. Overall, Development Permit 100.2 requested an additional 9.5 square metres (102 square feet) of additional gross floor area.

On June 10, 2004, Building Permit 594-04 was issued for all components of the comprehensive retail renovation approved under DP 100.2, except for the stand-alone retail building. The owners decided at that time to not pursue construction of the stand-alone retail building. As a result, there was an approximate net decrease in gross floor area of 1,486 square feet for the Hilton property after the construction of the improvements permitted by BP 594-04.

During this time, Council had directed staff to amend the CC1 (Commercial Core One) zone to change the maximum permitted density for each parcel in the zone to the existing developed floor areas as approved by municipal permits. In June 2008, Zoning Amendment Bylaw 1670 was adopted, establishing the maximum permitted density of each parcel in the CC1 (Commercial Core One) zone to the existing developed gross floor area as of February 18, 2008 plus an additional 20 square metres.

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, would like to build the stand-alone retail building at this time because they now have a tenant they would like to accommodate on the property. As a result of the new CC1 density provisions established by Zoning Amendment Bylaw 1670, the previously approved building now requires rezoning to increase the density provisions of the CC1 zone to permit the additional gross floor area.

Rezoning Proposal

Mountain Square Holdings have applied to amend the density provisions of the CC1 zone to permit approximately 1,650 square feet (153 square metres) of additional gross floor area on Hilton parcel VR2359 to accommodate the previously approved retail building.

The existing retail space in the Hilton is 100 percent leased and the owners are investigating opportunities to bring new tenants to the property. The building is proposed as previously approved, with 1,650 square foot on the main level and a small basement area at the lower level. The basement is proposed to accommodate services for the building such as electrical and mechanical rooms.

The applicant will be undergoing further design development, however, the 2003 approved development permit drawings are attached as Appendix B as a starting point for the design development.

ADP Review

After further design development and required form and massing models, the rezoning proposal will be submitted to the Advisory Design Panel for review prior to Council consideration of the proposed amending bylaws.

WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies of visitor experience, built environment and energy.

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Visitor Experience	The resort is comfortable, functional, safe, clean and well-maintained.	Further design development is needed to ensure the proposed development improves and enhances accessibility, vibrancy and the overall pedestrian experience in the immediate Springs Lane/Skiers Plaza area and not make it
	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	

Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscapes and evoking a dynamic sense of place.	worse.
	To maintain vibrancy, Whistler Village is the core of the resort community.	
	Limits to growth are understood and respected.	The proposal is consistent with the general requirements of the Whistler Village Density Policy.
Energy	Energy is...used efficiently through market transformation, design, and appropriate end use.	Green building commitments that meet the Green Building Policy will be a condition of adoption of the zoning amendment bylaw.
	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Energy	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	Energy is required to manufacture the necessary building materials and implement the renovation.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw 303

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, have applied to amend the density provisions of the CC1 (Commercial Core One) zone to permit approximately 1,650 square feet (153 square metres) of additional gross floor area on Hilton parcel VR2359 to accommodate the previously approved retail building.

Although the proposed additional retail gross floor area will require 6 parking stalls, there is believed to be excess parking provided currently at the Hilton on account of the decrease in gross floor area associated with the 2004 renovation. An up to date parking calculation will have to be provided to confirm if excess parking stalls currently exist.

Whistler Village Density Policy

The Municipality's Whistler Village Density Policy G-24 contemplates requests from property owners for limited additional density in the CC1 zone. The policy applies to all rezoning applications for parcels within the CC1 zone that propose to increase the permitted density of the parcel beyond the base density established for that parcel.

The proposed additional gross floor area for the Hilton retail building represents less than 3 percent of the base density for the parcel and meets all of the general requirements of the Whistler Village Density Policy. Initial resort community benefits proposed by the applicant include:

- Continuity of streetfront retail and linkage between the Hilton and Westin properties;
- Accessibility improvements through the incorporation of a ramp to access the retail level from the stroll level;
- A dedicated pedestrian sidewalk parallel to the existing sidewalk fronting the Hilton in the Springs Lane cul-de-sac.

Consistent with the policy, further design development and form and massing models are required to further evaluate the proposal prior to preparation of a zoning amendment bylaw.

Official Community Plan

Whistler's OCP outlines specific items for review with respect to rezoning applications. A brief summary follows:

Table 1: OCP Criteria for Evaluating Proposals for Zoning Amendments

OCP Criteria	Comments
Capable of being served by Municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Environmental Impact Assessment	n/a
Traffic volumes and patterns on Highway 99 and the local road system.	Some change is expected. Further study is required.
Overall patterns of development of the community and resort	Consistent with the OCP policy of primary locations for commercial development to continue to be in the Whistler Village, Upper Village and Whistler Creek precincts.
Municipal Finance	No known negative impacts. Supports visitation, room nights and hotel tax. Refer to the Budget Considerations section of this report for more details.
Views and Scenery	The proposed location of the building mass is not expected to negatively affect views and scenery.
Existing Community and Recreation Facilities	No impact.
Employee Housing	Refer to the Other Policy Considerations section in this report.
Heritage Resources	n/a
The project must exhibit high standards of design, landscaping and environmental sensitivity.	This is a desire of the applicant and will be ensured through the development permit process.
The project will not negatively affect surrounding areas by generating excessive noise or odours.	No negative effects are anticipated.
The project maintains high standards of quality and appearance.	This is proposed by the applicant and will be ensured through the development permit process.
No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	Further design development is needed to ensure the proposed development improves and enhances accessibility and the overall pedestrian experience in the immediate Springs Lane/Skiers Plaza area and not make it worse.

OCP Development Permit Area Guidelines

The Hilton is located within Development Permit Area #1 of the Whistler's OCP, requiring the proposed development to obtain a Development Permit and approval from Council. The Development Permit shall be in accordance with the Development Permit Area #1 guidelines for form and character, protection of the natural environment and protection from hazardous conditions.

Green Building Policy

The Municipality's most significant opportunity to require specific commitments in respect of green building features is 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 commercial development, the 2009 performance goal is LEED Silver, or 25% better than MNECB (Model National Energy Code for Buildings), with the 2012 performance goal increasing to LEED Gold, or 50% better than MNECB.

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

Whistler Sustainable Retail Study

The Whistler Sustainable Retail Study Findings and Recommendations prepared by Thomas Consultants Inc. dated February 2007 recommends no new retail space additions until such time that the retail strength and viability is stabilized and solidified.

The existing retail space in the Hilton is 100 percent leased and there are few vacancies in Whistler Village at this time.

Works and Services Charges Bylaws

The additional floor area for the proposed retail building will generate approximately \$110,070.00 in applicable development cost charges for sewer, water, transportation and recreation pursuant to the applicable bylaws.

Pursuant to the Employee Housing Service Charge Bylaw No. 1507, the additional floor area for the proposed spa generates 3.1 employees or a service charge of \$18,314.00. It should be noted although the bylaw permits a service charge to be paid, Council preference for rezoning applications is for the employee housing to be provided and secured under housing agreement as opposed to payment of the service charge.

Further research is needed to determine if the Hilton has any credits towards any of the works and service charges noted above.

BUDGET CONSIDERATIONS

The proposed development will be subject to rezoning application processing fees, development permit application processing fees and building permit fees.

Further, it is anticipated that proposed retail building will contribute to increased assessment values.

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 zoning amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign has been posted on the property. No formal community engagement has been undertaken to date with respect to the application. A Public Open House may be waived as the proposal is generally supported by the Whistler Village Density Policy G-24.

The proposed zoning amendment bylaw will be subject to a public hearing adhering to statutory public notice requirements.

SUMMARY

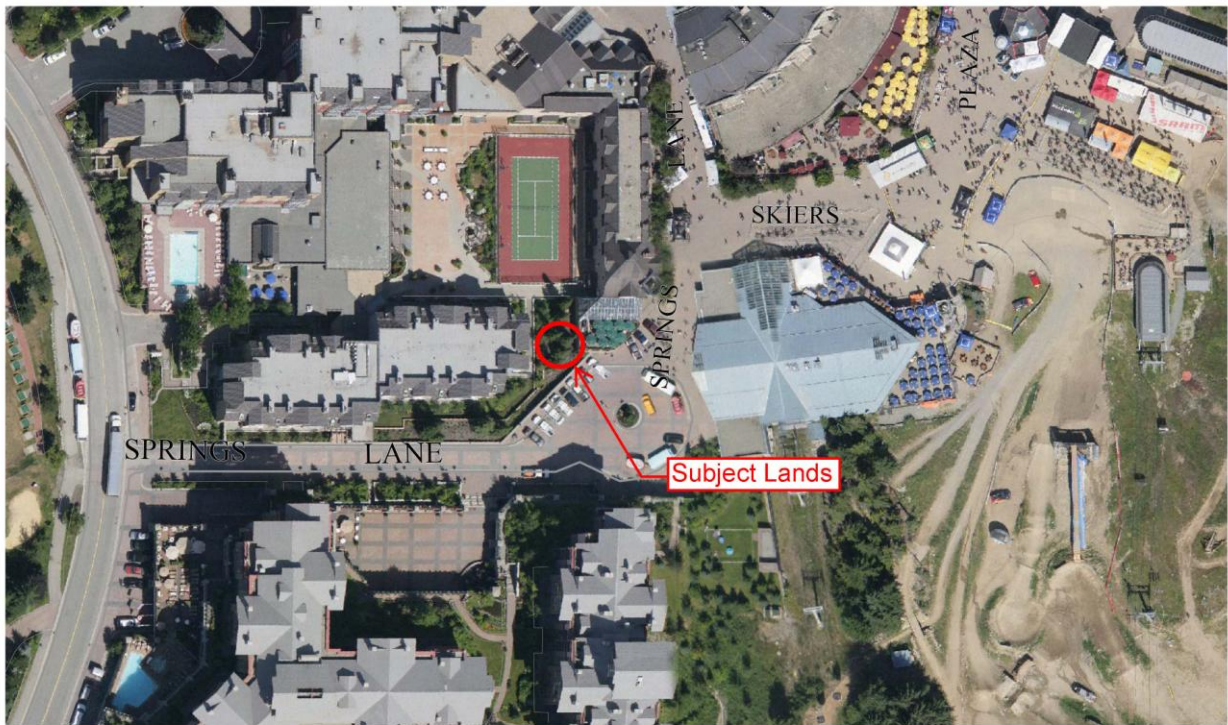
This report requests authorization to initiate further review of Rezoning Application No. 1046: Hilton Retail Building.

Respectfully submitted,

Melissa Laidlaw
PLANNER, RESORT PLANNING
for
Jan Jansen
GENERAL MANAGER, RESORT EXPERIENCE

APPENDIX A

LOCATION MAP





VIEW OF PROPOSED NEW CRU 225

Delta Whistler Resort, Whistler, B.C.

DP-7.5





REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: March 6, 2012

REPORT: 12-021

FROM: Resort Experience

FILE: RZ 1046

SUBJECT: 4050 WHISTLER WAY – HILTON RETAIL BUILDING

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council give first and second readings to Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012;

That Council authorize the Mayor and Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012 and to advertise for same in the local newspaper;

That Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Registration of a Section 219 covenant in favour of the Resort Municipality of Whistler to:
 - a) reflect the proposed development, establish the timing for completion of the Springs Lane pedestrian and parking improvements and establish the permitted use of the basement gross floor area;
 - b) ensure that the proposed development achieves the performance goals for commercial buildings established in the municipality's Green Building Policy G-23; and
 - c) require a project completion report detailing the implementation of the green building practices.
2. Payment of any outstanding rezoning application fees; and further

That Council authorize the Mayor and Corporate Officer to sign the aforementioned legal documents.

REFERENCES

Location: 4050 Whistler Way
Legal Description: Common Property, Strata Plan VR2359
Owners: Owners, Strata Plan VR2359
Current Zoning: CC1 (Commercial Core One)
Date of Application: April 18, 2011
Appendices: "A" Location Map
"B" May 17, 2011 Administrative Report to Council No. 11-051
"C" Architectural Plans
"D" Advisory Design Panel Minutes, December 14, 2011

NATURE OF REQUEST

The owners of Strata Plan VR2359 and Mountain Square Holdings Ltd., the holder of a volumetric ground lease on the part of the common property of Strata Plan VR2359 that is the subject of the rezoning application, have applied to amend Zoning and Parking Bylaw 303 to increase the maximum permitted density of the Hilton Whistler Resort and Spa (Hilton) to permit the addition of a small, freestanding retail building.

PURPOSE OF REPORT

This report describes the proposed rezoning for the Hilton and seeks Council's consideration of first and second readings for Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012.

DISCUSSION

Background

The Hilton is an existing hotel development located at 4050 Whistler Way in Whistler Village (Appendix A) with retail frontage on Mountain Square, Village Stroll and Skiers Plaza.

The applicant proposes to develop a freestanding retail building at the terminus of the existing retail frontage to create an improved retail streetscape transition between the Hilton and the Westin.

The proposed rezoning was presented to Council on May 17, 2011 and a complete description and analysis of such is presented in Administrative Report to Council No. 11-051 (attached as Appendix B).

On May 17, 2011, Council endorsed further review with the following resolution:

“That Council endorse further review of Rezoning Application No. 1046: Hilton Retail Building.

CARRIED”

During Council's discussion, Council commented that Springs Lane is congested and is a terrible experience for pedestrians.

Staff has worked with the applicant to address these concerns as presented in this report.

Rezoning Proposal

In Report No. 11-051, the 2003 approved development permit drawings were used as a starting point for the design development. Since then, further design development has occurred, identifying basement opportunity in the proposed new building. Although the building footprint and relationship to the street and adjacent buildings remains the same, the total gross floor area for the proposed building has increased to 302.5 square metres (3,257 square feet), from the 1,650 square feet (153 square metres) described in Report No. 11-051. The additional basement gross floor area is proposed for storage. To establish the permitted use of the additional basement gross floor area, staff recommends registration of a development covenant on title of the property.

The current architectural plans are attached as Appendix C.

Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012

The zoning amendment bylaw proposes to amend the density provisions of the CC1 zone to increase the maximum permitted gross floor area on Hilton parcel VR2359 to accommodate the proposed freestanding retail building, bringing the total gross floor for the parcel to 6,434 square metres, representing a 4.9 percent increase in total gross floor area.

ADP Review

The Advisory Design Panel reviewed the rezoning submission on December 14, 2011 and supported the application in principle, noting that it is an architecturally strong project that will create a vibrant node at this end of the street. The Panel commented on certain design components, many of which have been addressed. The remaining will be addressed at the development permit phase.

The minutes of the Advisory Design Panel meeting are attached as Appendix D.

WHISTLER 2020 ANALYSIS

An analysis of the applicable Whistler 2020 strategies and descriptions of success is contained in Report No. 11-051.

The further design development that has occurred since then has worked towards improving and enhancing accessibility, vibrancy and the overall pedestrian experience at this gateway entrance into Whistler Village.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw 303

No additional parking stalls are required for the proposed addition. The parking requirements for the Hilton have always been calculated as if it were a single property, not three separate properties. In 2004, there was a net decrease in gross floor area of approximately 138 square metres. The current 150.3 square metres of additional commercial gross floor area results in a net addition of 12.3 square metres and generates less than half a parking stall.

Whistler Village Density Policy

The Municipality's Whistler Village Density Policy G-24 contemplates requests from property owners for limited additional density in the CC1 zone. The policy applies to all rezoning applications for parcels within the CC1 zone that propose to increase the permitted density of the parcel beyond the base density established for that parcel. Per the policy, a proposal must not violate the Whistler Village Design Guidelines, View Protection Guidelines or Solar Access Protection Guidelines. The proposal must also achieve targeted community benefits.

The proposed additional gross floor area for the Hilton retail building represents less than 5 percent of the base density for the parcel; however, it is beyond the 250 square metre threshold and therefore should be evaluated relative to the municipality's growth management policies established within the municipality's OCP. A summary of this evaluation is contained in the Official Community Plan section of this report.

The proposal meets the general requirements of the Whistler Village Density Policy. Resort community benefits include:

- Continuity of streetfront retail and linkage between the Hilton and Westin properties;
- Improved pedestrian access across the top of Springs Lane to the Westin by way two sidewalks, a painted crosswalk, proper curb cuts and improved fire lane signage to resolve illegal parking;
- Accessibility improvements through the incorporation of a ramp to access this end of the Hilton retail from the stroll and the provision of two accessible surface parking stalls at the top of Springs Lane;
- Resolution of roof snow shed issues impacting the existing patio; and

- Addition of stone cladding on the existing patio wall.

Solar Analysis

The Solar Access Protection Guidelines identifies that proposals should ensure minimal solar access impact from new development while balancing other design considerations. On pages 12-13 of Appendix C, the applicant has demonstrated that the new building will have incremental shadow impacts on the existing outdoor patio for five months of the year, from mid-March to mid-August, ranging from up to 28% more shadow at 1:30 pm (the earliest time in the day that there are shadow impacts on the patio) and up to 80% more shadow at 4 pm. The new building will have no shadow impacts the remaining seven months of the year, nor will it have shadow impacts on the adjacent pedestrian stroll.

View Analysis

The proposal has negligible impact on identified protected views, as demonstrated on page 11 of Appendix C.

Official Community Plan

Whistler's OCP outlines specific items for review with respect to rezoning applications. A summary evaluation is provided in Report No. 11-051. At that time some items required further review. These items are addressed below.

Table 1: OCP Criteria for Evaluating Proposals for Zoning Amendments

OCP Criteria	Comments
4.3 Commercial Development – proposed developments evaluated in accordance with Section 4.13. The municipality will periodically review the amount and pattern of commercial development.	Growth management in Policy 4.13 is associated with bed units only; however, this is the closest test. The Policy states: Increases in bed unit capacity will only be considered if the development provides clear and substantial benefits to the community and resort, is supported by the community in the opinion of Council, will not cause unacceptable impacts to community, and meets all applicable criteria set out in OCP. Benefits and impacts are discussed in the Whistler 2020 evaluation, the Whistler Village Density Policy section and the Official Community Plan section of this report.
4.13.3 d) Traffic volumes and patterns on Highway 99 and the local road system.	No significant increase in traffic volumes.
4.13.3 d) Views and Scenery	The view analysis on page 11 of Appendix C demonstrates that the proposal has negligible impact on identified protected views.
4.13.8 No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	Community benefits associated with the proposal improve accessibility and pedestrian experience in the immediate Springs Lane/Skiers Plaza area.

Green Building Policy

The recommended condition of adoption of the zoning amendment related to green buildings is consistent with the municipality's Green Building Policy. Further, if the construction of the proposed development is delayed, the covenant will require that the proposed development is consistent with the Green Building Policy performance goals over time.

Works and Services Charges Bylaws

The additional gross floor area for the proposed new building will generate approximately \$19,910.00 in applicable development cost charges for sewer, water, transportation and recreation pursuant to the applicable bylaws.

Pursuant to the Employee Housing Service Charge Bylaw No. 1507, the commercial gross floor area for the proposed new building generates 3.0 employees or a service charge of \$17,724.00.

BUDGET CONSIDERATIONS

It is anticipated that proposed retail building will contribute to increased assessment values.

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 zoning amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign has been posted on the property.

No formal community engagement has been undertaken to date with respect to the application, however, staff had conversations with several nearby retailers to better understand pedestrian circulation patterns in the Springs Lane area.

Additionally, as the proposal involves minor encroachments onto Crown lands leased to Whistler Blackcomb, staff met on several occasions with the applicant and representatives of Whistler Blackcomb to improve accessibility and the pedestrian experience in the Springs Lane area, without disruption to mountain operations. On February 27, 2012 Whistler Blackcomb confirmed in writing that they are supportive of the proposed Hilton retail building based on certain agreed to understandings being implemented in a timely manner.

A Public Open House was waived as the proposal is generally supported by the Whistler Village Density Policy.

Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012 will be subject to a public hearing adhering to statutory public notice requirements.

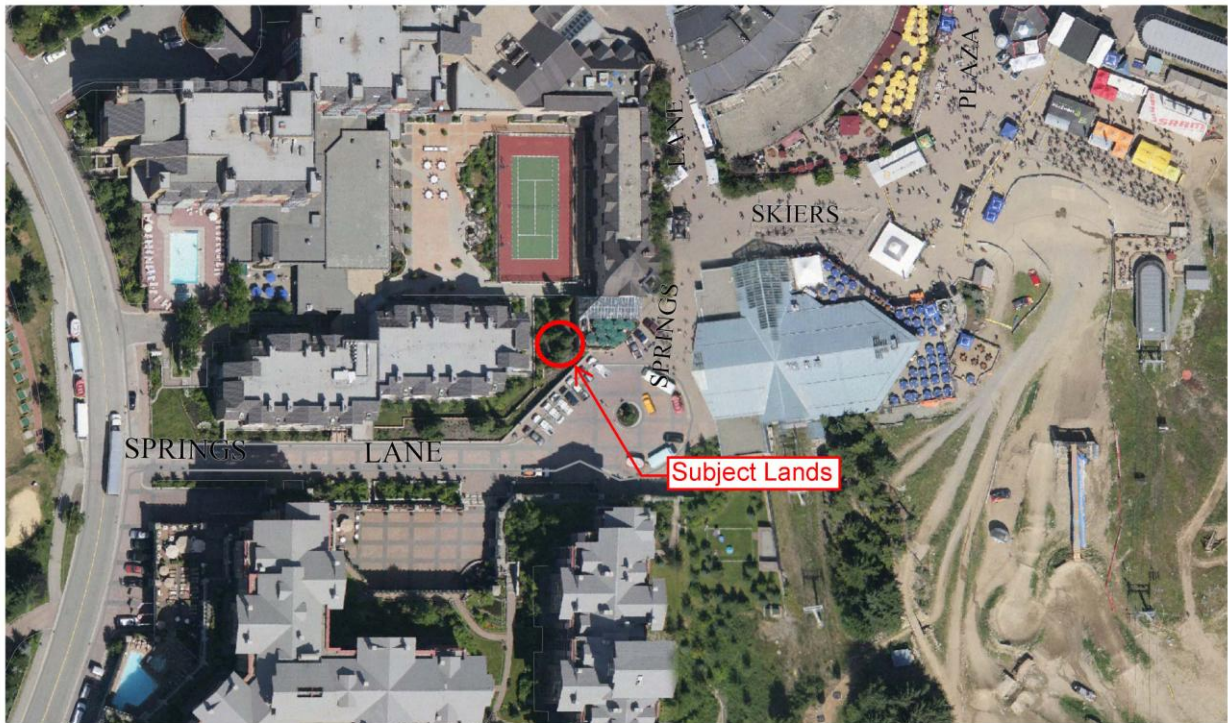
SUMMARY

This report presents Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012 for Council consideration of first and second reading and identifies conditions for the applicant to address prior to consideration of adoption of the bylaw.

Respectfully submitted,

Melissa Laidlaw
PLANNER
for
Jan Jansen
GENERAL MANAGER, RESORT EXPERIENCE

LOCATION MAP





WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: May 17, 2011

REPORT: 11-051

FROM: Resort Experience

FILE: RZ 1046

SUBJECT: 4050 WHISTLER WAY – HILTON RETAIL BUILDING

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council endorse further review of Rezoning Application No. 1046: Hilton Retail Building.

REFERENCES

Location: 4050 Whistler Way
Legal Description: Common Property, Strata Plan VR2359
Owners: Owners, Strata Plan VR2359
Current Zoning: CC1 (Commercial Core One)
Date of Application: April 18, 2011
Appendices: "A" Location Map
 "B" Concept sketch

PURPOSE OF REPORT

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, have applied to amend Zoning and Parking Bylaw 303 to increase the maximum permitted density of the Hilton Whistler Resort and Spa to permit the addition of a small, freestanding retail building.

Any rezoning application received by the municipality requires Council endorsement for further review prior to the preparation of any related zoning amendment bylaws. This report describes the proposed rezoning application and seeks Council's endorsement for further review.

DISCUSSION

Background

The Hilton Whistler Resort and Spa (Hilton) is an existing hotel development located at 4050 Whistler Way in Whistler Village (Appendix "A"), with retail frontage on Mountain Square, Village Stroll and Skiers Plaza.

On November 20, 2003, Council granted development permit approval (DP 100.2) for a comprehensive renovation to the retail component of the Hilton. Part of this development permit approval was for a new 1,650 square foot stand-alone retail building accessed from the existing patio adjacent to The Lift Coffee Company (refer to Appendix B). According to the November 20, 2003 Council report, the retail building addition and associated improvements were to serve as an improved transition between the Westin and the Hilton. The existing patio area was to be modified to incorporate new landscaping, stone facing of the existing concrete walls, new paver treatment and a ramp access. A new pedestrian sidewalk was to be provided from the south end of the Hilton retail shops to a crosswalk at the top of Springs Lane to assist in separating pedestrians and

vehicles in the highly congested Springs Lane cul-de-sac. Overall, Development Permit 100.2 requested an additional 9.5 square metres (102 square feet) of additional gross floor area.

On June 10, 2004, Building Permit 594-04 was issued for all components of the comprehensive retail renovation approved under DP 100.2, except for the stand-alone retail building. The owners decided at that time to not pursue construction of the stand-alone retail building. As a result, there was an approximate net decrease in gross floor area of 1,486 square feet for the Hilton property after the construction of the improvements permitted by BP 594-04.

During this time, Council had directed staff to amend the CC1 (Commercial Core One) zone to change the maximum permitted density for each parcel in the zone to the existing developed floor areas as approved by municipal permits. In June 2008, Zoning Amendment Bylaw 1670 was adopted, establishing the maximum permitted density of each parcel in the CC1 (Commercial Core One) zone to the existing developed gross floor area as of February 18, 2008 plus an additional 20 square metres.

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, would like to build the stand-alone retail building at this time because they now have a tenant they would like to accommodate on the property. As a result of the new CC1 density provisions established by Zoning Amendment Bylaw 1670, the previously approved building now requires rezoning to increase the density provisions of the CC1 zone to permit the additional gross floor area.

Rezoning Proposal

Mountain Square Holdings have applied to amend the density provisions of the CC1 zone to permit approximately 1,650 square feet (153 square metres) of additional gross floor area on Hilton parcel VR2359 to accommodate the previously approved retail building.

The existing retail space in the Hilton is 100 percent leased and the owners are investigating opportunities to bring new tenants to the property. The building is proposed as previously approved, with 1,650 square foot on the main level and a small basement area at the lower level. The basement is proposed to accommodate services for the building such as electrical and mechanical rooms.

The applicant will be undergoing further design development, however, the 2003 approved development permit drawings are attached as Appendix B as a starting point for the design development.

ADP Review

After further design development and required form and massing models, the rezoning proposal will be submitted to the Advisory Design Panel for review prior to Council consideration of the proposed amending bylaws.

WHISTLER 2020 ANALYSIS

Overall, the proposal supports the Whistler 2020 strategies of visitor experience, built environment and energy.

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Visitor Experience	The resort is comfortable, functional, safe, clean and well-maintained.	Further design development is needed to ensure the proposed development improves and enhances accessibility, vibrancy and the overall pedestrian experience in the immediate Springs Lane/Skiers Plaza area and not make it
	The resort community's authentic sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	

Built Environment	The built environment is attractive and vibrant, reflecting the resort community's character, protecting viewscapes and evoking a dynamic sense of place.	worse.
	To maintain vibrancy, Whistler Village is the core of the resort community.	
	Limits to growth are understood and respected.	The proposal is consistent with the general requirements of the Whistler Village Density Policy.
Energy	Energy is...used efficiently through market transformation, design, and appropriate end use.	Green building commitments that meet the Green Building Policy will be a condition of adoption of the zoning amendment bylaw.
	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	
W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Energy	The energy system is continuously moving towards a state whereby a build-up of emissions and waste into air, land and water is eliminated.	Energy is required to manufacture the necessary building materials and implement the renovation.

OTHER POLICY CONSIDERATIONS

Zoning and Parking Bylaw 303

Mountain Square Holdings Ltd., the new owners of the Hilton retail property, have applied to amend the density provisions of the CC1 (Commercial Core One) zone to permit approximately 1,650 square feet (153 square metres) of additional gross floor area on Hilton parcel VR2359 to accommodate the previously approved retail building.

Although the proposed additional retail gross floor area will require 6 parking stalls, there is believed to be excess parking provided currently at the Hilton on account of the decrease in gross floor area associated with the 2004 renovation. An up to date parking calculation will have to be provided to confirm if excess parking stalls currently exist.

Whistler Village Density Policy

The Municipality's Whistler Village Density Policy G-24 contemplates requests from property owners for limited additional density in the CC1 zone. The policy applies to all rezoning applications for parcels within the CC1 zone that propose to increase the permitted density of the parcel beyond the base density established for that parcel.

The proposed additional gross floor area for the Hilton retail building represents less than 3 percent of the base density for the parcel and meets all of the general requirements of the Whistler Village Density Policy. Initial resort community benefits proposed by the applicant include:

- Continuity of streetfront retail and linkage between the Hilton and Westin properties;
- Accessibility improvements through the incorporation of a ramp to access the retail level from the stroll level;
- A dedicated pedestrian sidewalk parallel to the existing sidewalk fronting the Hilton in the Springs Lane cul-de-sac.

Consistent with the policy, further design development and form and massing models are required to further evaluate the proposal prior to preparation of a zoning amendment bylaw.

Official Community Plan

Whistler's OCP outlines specific items for review with respect to rezoning applications. A brief summary follows:

Table 1: OCP Criteria for Evaluating Proposals for Zoning Amendments

OCP Criteria	Comments
Capable of being served by Municipal water, sewer and fire protection services.	Yes.
Accessible via the local road system.	Yes.
Environmental Impact Assessment	n/a
Traffic volumes and patterns on Highway 99 and the local road system.	Some change is expected. Further study is required.
Overall patterns of development of the community and resort	Consistent with the OCP policy of primary locations for commercial development to continue to be in the Whistler Village, Upper Village and Whistler Creek precincts.
Municipal Finance	No known negative impacts. Supports visitation, room nights and hotel tax. Refer to the Budget Considerations section of this report for more details.
Views and Scenery	The proposed location of the building mass is not expected to negatively affect views and scenery.
Existing Community and Recreation Facilities	No impact.
Employee Housing	Refer to the Other Policy Considerations section in this report.
Heritage Resources	n/a
The project must exhibit high standards of design, landscaping and environmental sensitivity.	This is a desire of the applicant and will be ensured through the development permit process.
The project will not negatively affect surrounding areas by generating excessive noise or odours.	No negative effects are anticipated.
The project maintains high standards of quality and appearance.	This is proposed by the applicant and will be ensured through the development permit process.
No development will be approved if it would negatively impact a designated Municipal trail system, recreation area, or open space.	Further design development is needed to ensure the proposed development improves and enhances accessibility and the overall pedestrian experience in the immediate Springs Lane/Skiers Plaza area and not make it worse.

OCP Development Permit Area Guidelines

The Hilton is located within Development Permit Area #1 of the Whistler's OCP, requiring the proposed development to obtain a Development Permit and approval from Council. The Development Permit shall be in accordance with the Development Permit Area #1 guidelines for form and character, protection of the natural environment and protection from hazardous conditions.

Green Building Policy

The Municipality's most significant opportunity to require specific commitments in respect of green building features is 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 commercial development, the 2009 performance goal is LEED Silver, or 25% better than MNECB (Model National Energy Code for Buildings), with the 2012 performance goal increasing to LEED Gold, or 50% better than MNECB.

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

Whistler Sustainable Retail Study

The Whistler Sustainable Retail Study Findings and Recommendations prepared by Thomas Consultants Inc. dated February 2007 recommends no new retail space additions until such time that the retail strength and viability is stabilized and solidified.

The existing retail space in the Hilton is 100 percent leased and there are few vacancies in Whistler Village at this time.

Works and Services Charges Bylaws

The additional floor area for the proposed retail building will generate approximately \$110,070.00 in applicable development cost charges for sewer, water, transportation and recreation pursuant to the applicable bylaws.

Pursuant to the Employee Housing Service Charge Bylaw No. 1507, the additional floor area for the proposed spa generates 3.1 employees or a service charge of \$18,314.00. It should be noted although the bylaw permits a service charge to be paid, Council preference for rezoning applications is for the employee housing to be provided and secured under housing agreement as opposed to payment of the service charge.

Further research is needed to determine if the Hilton has any credits towards any of the works and service charges noted above.

BUDGET CONSIDERATIONS

The proposed development will be subject to rezoning application processing fees, development permit application processing fees and building permit fees.

Further, it is anticipated that proposed retail building will contribute to increased assessment values.

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 zoning amendment bylaw.

COMMUNITY ENGAGEMENT AND CONSULTATION

The required rezoning application site information sign has been posted on the property. No formal community engagement has been undertaken to date with respect to the application. A Public Open House may be waived as the proposal is generally supported by the Whistler Village Density Policy G-24.

The proposed zoning amendment bylaw will be subject to a public hearing adhering to statutory public notice requirements.

SUMMARY

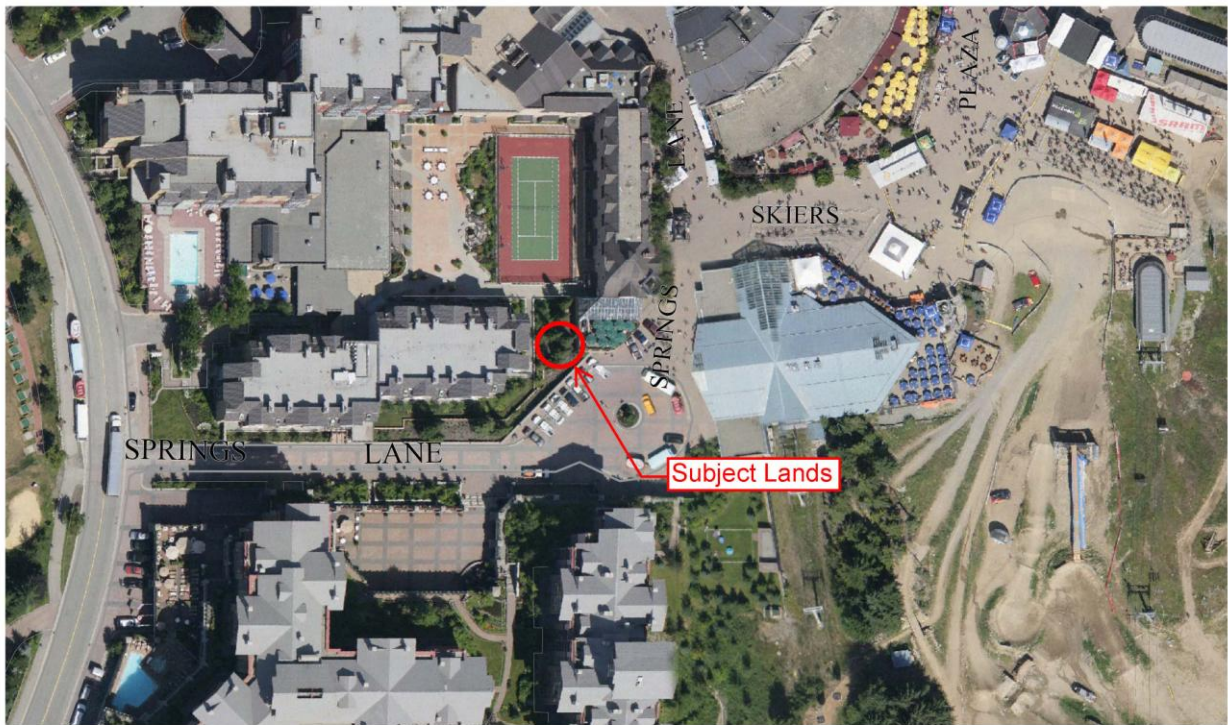
This report requests authorization to initiate further review of Rezoning Application No. 1046: Hilton Retail Building.

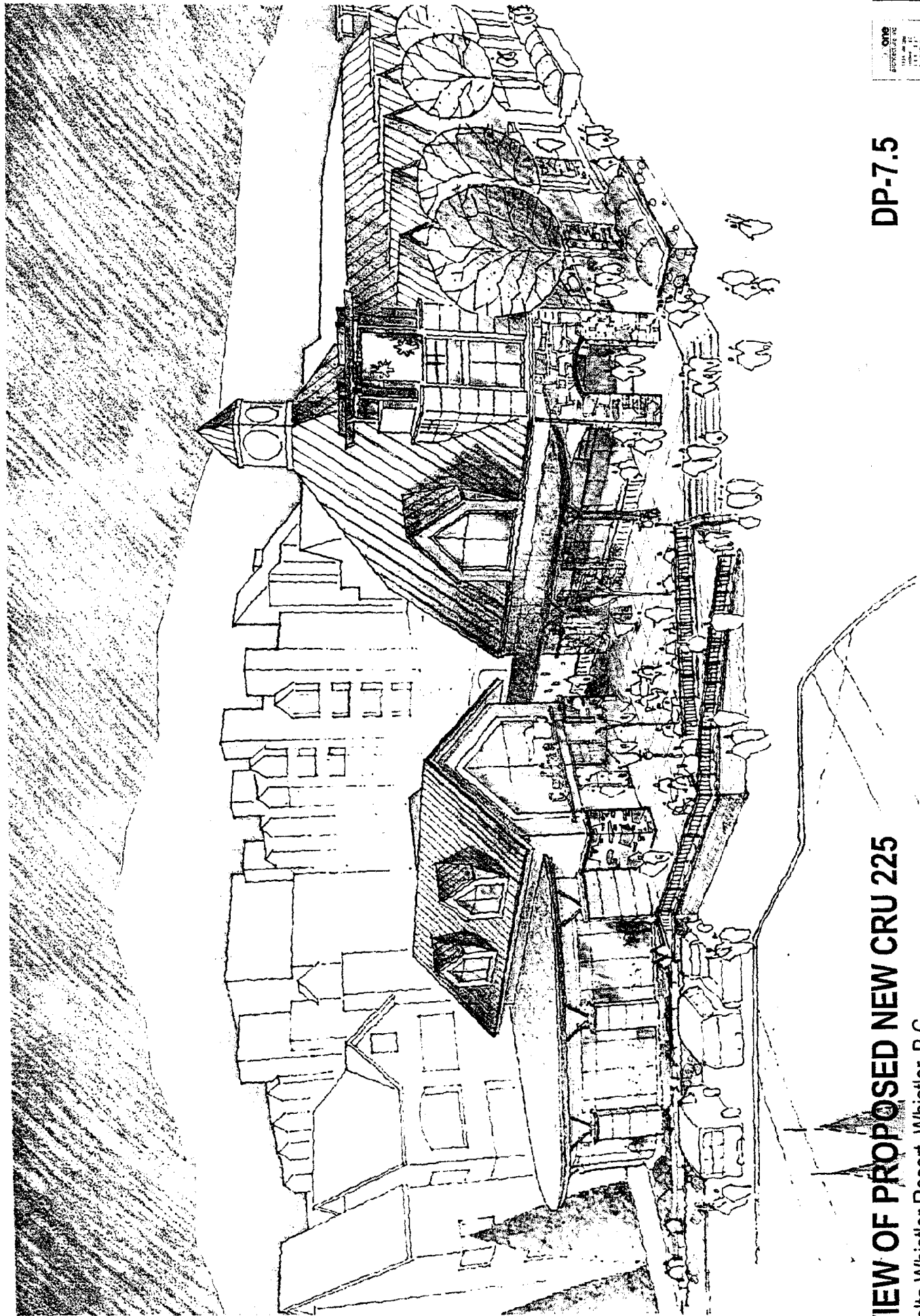
Respectfully submitted,

Melissa Laidlaw
PLANNER, RESORT PLANNING
for
Jan Jansen
GENERAL MANAGER, RESORT EXPERIENCE

APPENDIX A

LOCATION MAP





VIEW OF PROPOSED NEW CRU 225

Delta Whistler Resort, Whistler, B.C.

DP-7.5





PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.



PROJECT STATISTICS:			
CIVIC ADDRESS			
CRU #225, 4050 Whistler Way, Whistler, B.C. V0N 1B4			
LEGAL DESCRIPTION			
Strata Lots 1-127 of Strata Plan VR 2359			
ZONING			
CC1 (commercial core one)			
PROPOSED USE			
commercial (permitted)			
BUILDING HEIGHT			
1 storey, 18 ft (5.48 m) from patio level, 35 ft (10.67 m) from Hilton Whistler Lobby/ Courtyard Level the maximum permitted height of a building is the lesser of 30 metres or 8 storeys			
AREA			
MAIN FLOOR (PATIO LEVEL)	new CRU 225	150.3 m ²	(1,618 SF)
BASEMENT (Hilton Whistler Lobby/Courtyard Level)	new CRU 225	152.2 m ²	(1,639 SF)
TOTAL GFA of Proposed Building	new CRU 225	302.5 m ²	(3,257 SF)
AREA OF THE SOUTH TOWER HILTON WHISTLER (V2359)		6,131.7 m ²	(66,003.2 SF)

DRAWING LIST

ARCHITECTURAL

- Cover Sheet
- 1 Location Plan, Drawing List and Project Statistics
- 2 Design Considerations
- 3 Existing Site Plan
- 4 Proposed Site Plan
- 5 Pedestrian and Vehicular Circulation Plan & Spring's Lane Turn Around
- 6 Main Floor Plan
- 7 Basement Plan
- 8 Roof Plan
- 9 Schematic Section
- 10 Spring's Lane Elevation
- 11 Core View #29 (Mt.Sproat) Compliance Analysis
- 12 Shadow Analysis
- 13 Shadow Analysis
- 14 Survey

LOCATION PLAN, DRAWING LIST & PROJECT STATISTICS

Design considerations

- Improve image for the existing “street” retail area and resort experience overall in the Spring Lane drop off area.



- Provide new freestanding commercial building in the “void space”. This new commercial building will act as a natural link between the retail stores along Springs Lane and shops located at The Westin.

- To complete the last key corner of Hilton Whistler that has not been addressed yet.

- The composition of the building has been carefully considered to reflect the importance of the location.



- Design of the proposed building draws reference from the other significant Hilton Hotel nodes - Mountain Square and main hotel entrances as well as similar commercial retail stores on Mountain Square Plaza .



- The form and shape of the higher roof element is designed to lessen the impact of the proposed building on the view corridor towards the Sproat Mountain (Village Core Views, View 29- Mt. Sproat) and minimize height of proposed structure in relation to the existing Hilton Hotel to the west.



- The existing roof canopy that was added to the East façade after the major renovation of the Hilton Hotel will be removed and new canopy structure will be incorporated with the proposed commercial building to bring together the design of the Springs lane cul-de-sac area. The proposed roof canopy of the coffee shop will be cut back at the corner to soften the visual impact of the overhang along the Springs Lane pedestrian flow.

- The use of natural materials such as stone cladding and wood siding have been chosen to complement the existing material and colour scheme of the Hilton Hotel and mountain square retail stores. Proposed design, building finishes and colour scheme complies with Whistler design guidelines.

- The outdoor patio space will be shared between the existing coffee shop and new commercial tenancy.

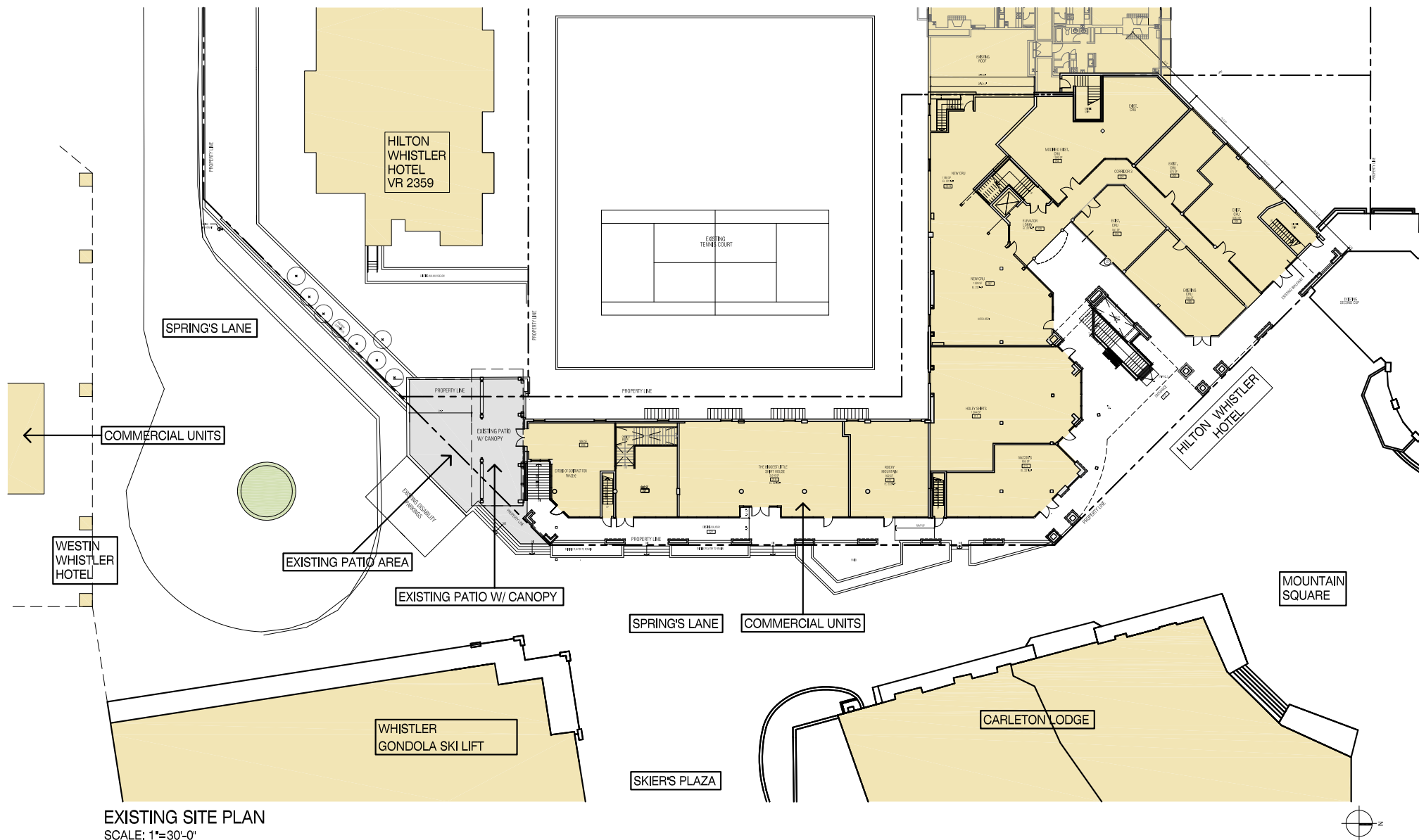
- Bicycle Storage will be provided on the basement level of the proposed building.

- Design will be in accordance with the Green Building Policy (G-23) of Whistler.

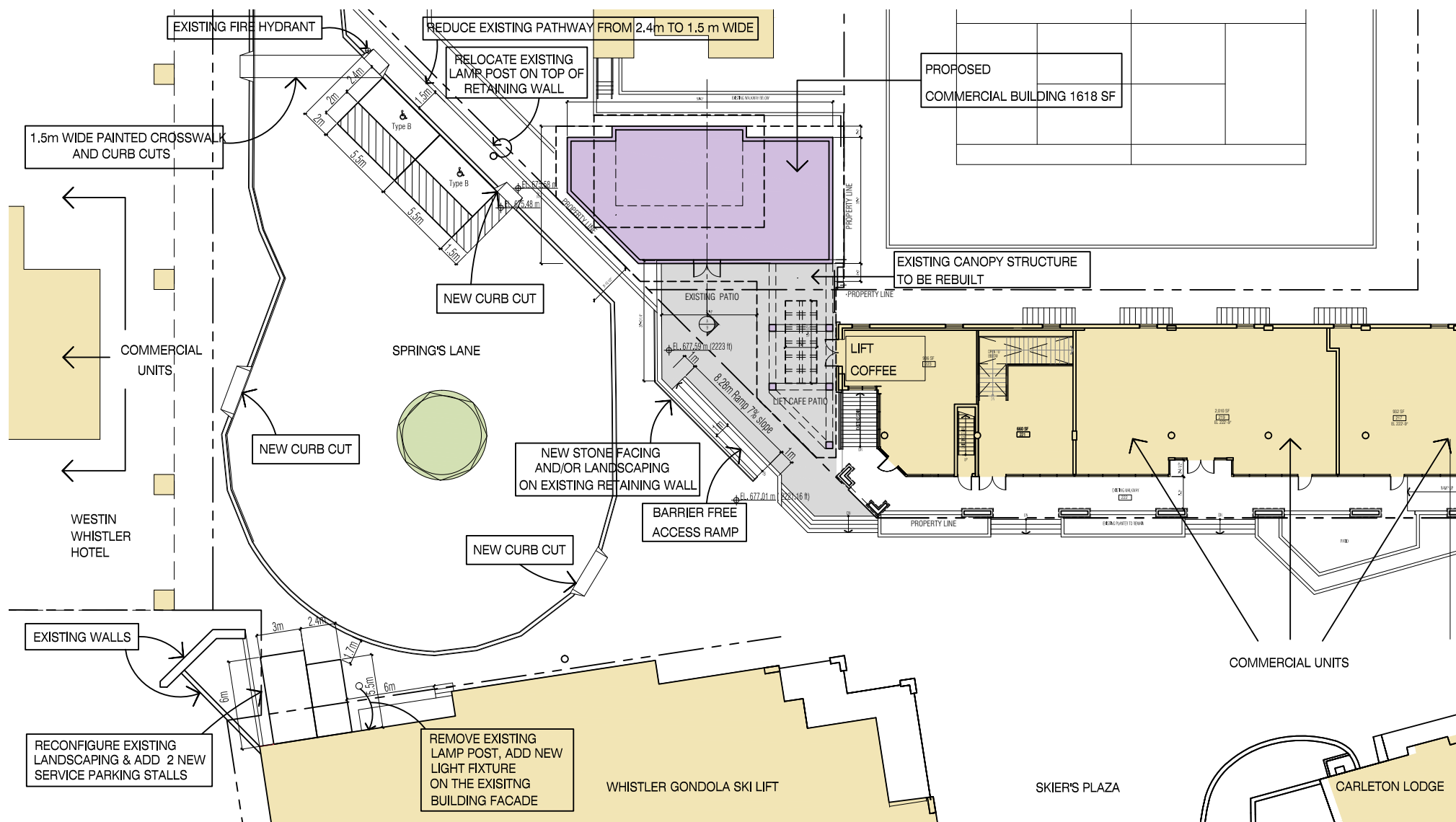


DESIGN CONSIDERATIONS

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.



PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B.C.

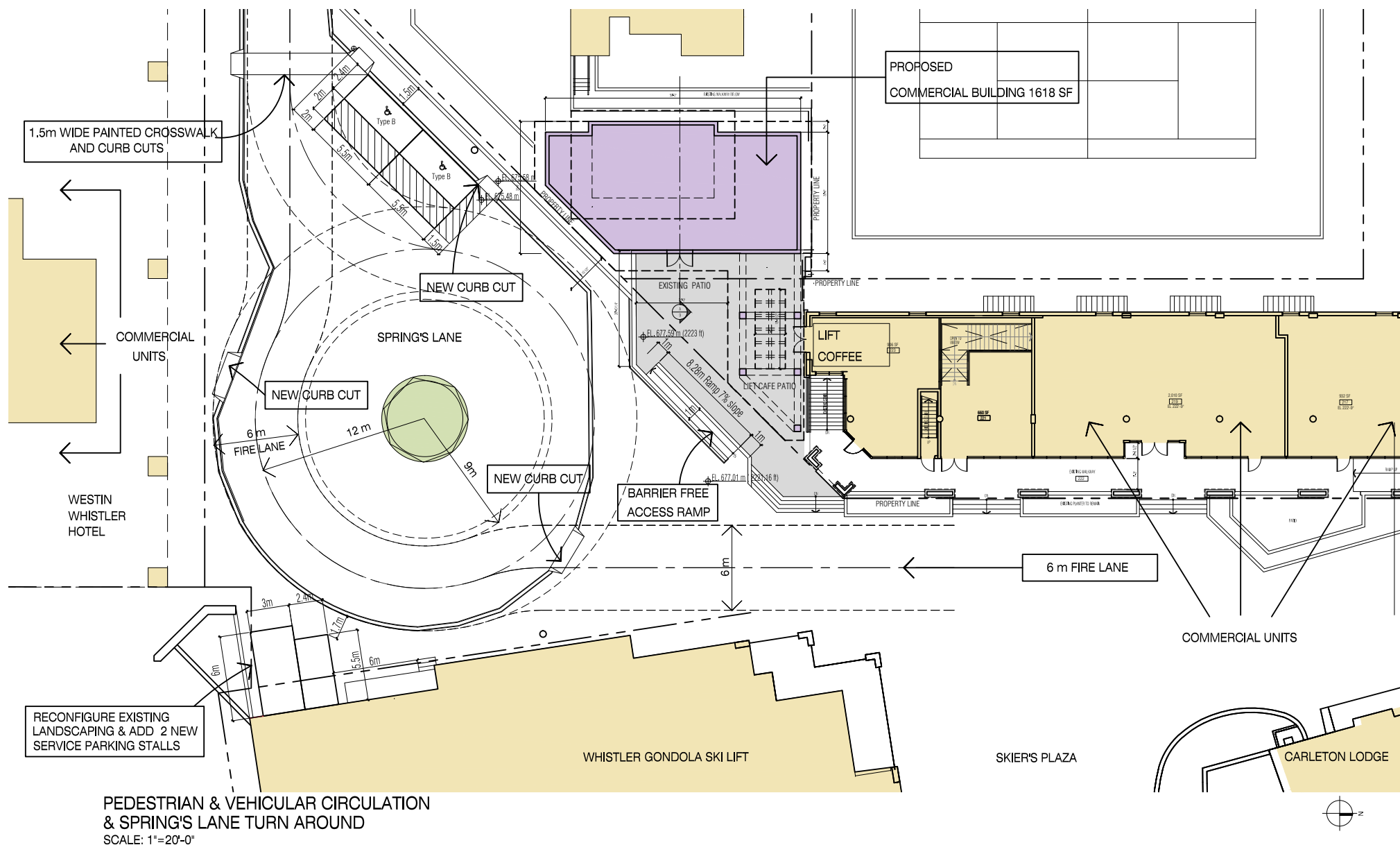


PROPOSED SITE PLAN

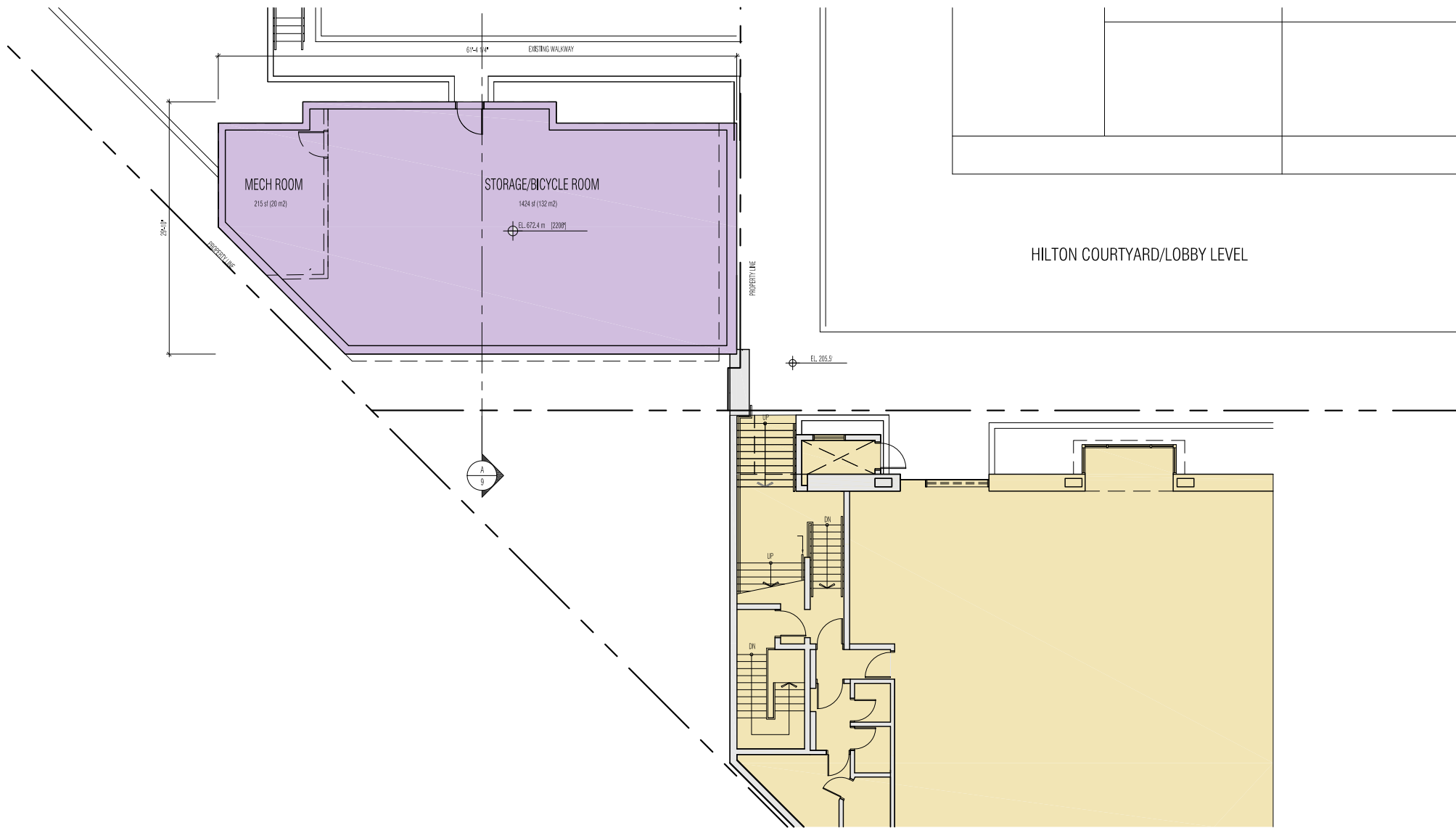
SCALE: 1"=20'-0"

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B.C.





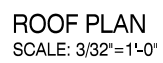
PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B.C.

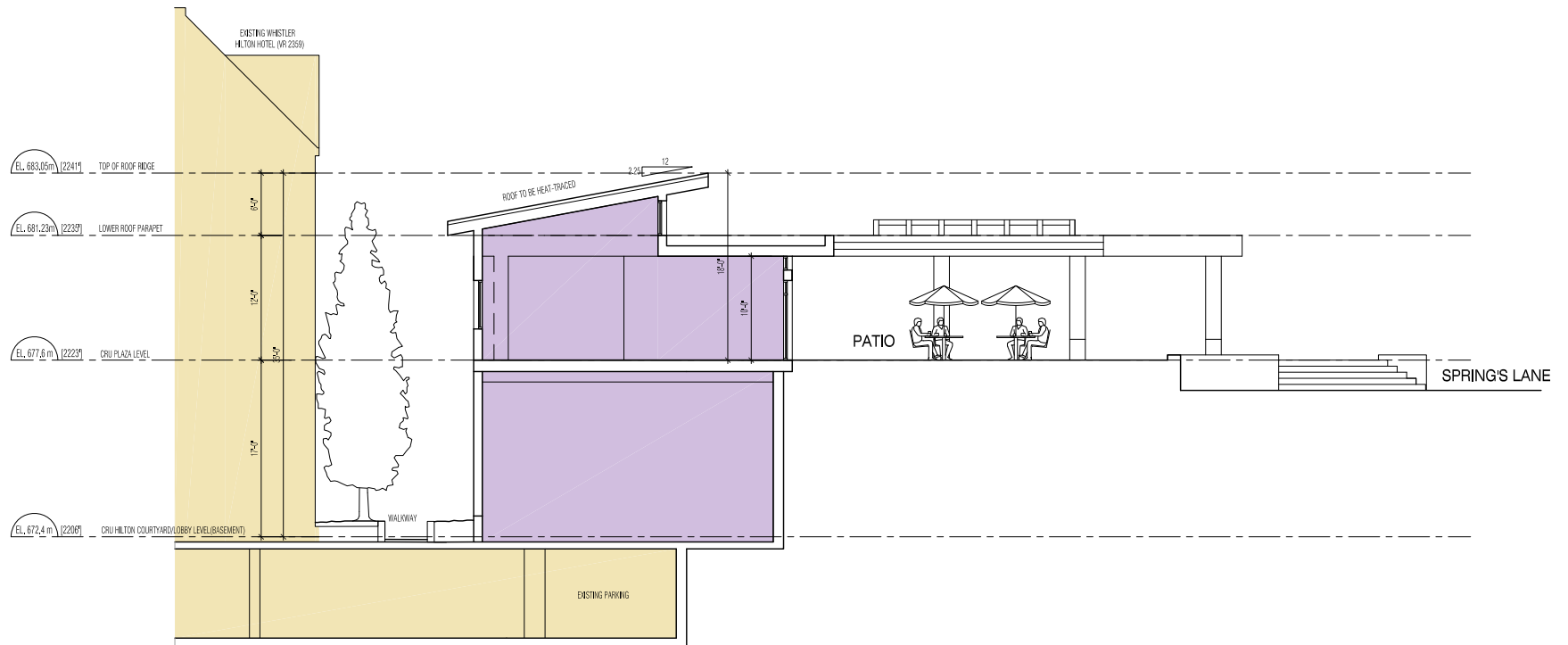


BASEMENT PLAN GFA: 152.2 m² (1639 SF)
SCALE: 3/32"=1'-0"

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B.C.







SCHEMATIC SECTION
SCALE: 3/32"=1'-0"

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.



ELEVATION AT SPRING'S LANE





EXISTING CONDITIONS

PROPOSED CONDITIONS

CORE VIEW #29 (MT. SPROAT) COMPLIANCE ANALYSIS

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.

Mar 15, 4 pm

Apr 15, 4 pm

Jun 15, 4 pm

Aug 15, 4 pm



Existing

13 % Shadow

2 % Shadow

0 % Shadow

0 % Shadow

Mar 15, 4 pm

Apr 15, 4 pm

Jun 15, 4 pm

Aug 15, 4 pm



Proposed

94 % Shadow

78 % Shadow

58 % Shadow

67 % Shadow

SHADOW ANALYSIS ON PLAZA

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.

Mar 15, 1:30 pm

Apr 15, 1:30 pm

Jun15, 1:30 pm

Aug 15, 1:30 pm



Existing 1:30 pm 0 % Shadow

0 % Shadow

0 % Shadow

0 % Shadow

Mar 15, 1:30 pm

Apr 15, 1:30 pm

Jun15, 1:30 pm

Aug 15, 1:30 pm



Proposed 1:30 pm 27 % Shadow

28 % Shadow

27 % Shadow

28 % Shadow

SHADOW ANALYSIS

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B. C.

studioone
architecture inc.

240 - 280 West 8th Ave.
Vancouver, B.C. V5Y 3K2
Tel: 604-731-3886
Fax: 604-731-1131
studioone@studioone.ca
Thomas Wieg | M.Arch

13
2012.02.23

background in the food and beverage industry in Whistler, as well as being familiar with many of the buildings in Whistler. He also served as the strata chair of the Le Chamois during their building envelope renovation.

A question was raised regarding the progress of the OCP and the Retail Streetscape Design Guide. Melissa replied that the Panel comments were incorporated and that the OCP has received first reading and is now in the final consultation phase. The OCP is expected to be brought forward before Council for second reading following consultation. Melissa replied that the Retail Streetscape Design Guide is undergoing final revision to ensure it is clear and concise.

**Hilton Resort
1st Review
File No. RZ1046**

PRESENTATIONS

The applicant team of Tomas Wolf, Architect and Bryce Margetts, owner representative entered the meeting.

Melissa reviewed the history of the project and the current zoning. The owners have submitted a rezoning application requesting additional gross floor area to construct a freestanding retail building.

The applicant presented:

1. The proposed new building is located on the Springs Lane end of the Hilton retail wing.
2. The proposal is for a one-storey 1,618 ft² retail space with a basement below for mechanical and storage.
3. The proposed alterations will see the accessible parking moved to the centre of the round-a-bout to move the stalls out of the fire lane; however this may not be the best location or a long term solution.
4. Presented the current flow of the pedestrian and vehicle traffic and how the development could influence the traffic flow.
5. Display boards showing both levels of the exterior and an overlay of visual impacts to the surrounding views as well as a sun analysis.
6. Exterior would incorporate wood and stone to blend in with the existing building.
7. Plans to create an inviting patio space by means of expanding the patio, lowering the railing and extending the roof line to have additional appeal and update the site.

Moved by Brain Martin

Seconded by Brigitte Loranger

That the Advisory Design Panel thanks the applicant for the presentation and supports the application in principle. Panel offers the following comments:

Site Context and Landscaping

1. It was noted that there is currently a lovely grove of trees on the building site, plus trees in the cul-de-sac. Although the Panel is in support of the new building, the applicants are encouraged to find

ways to reintroduce this mountain lushness.

Form and Character

1. Great project, architecturally strong. Will create a vibrant node at this end of the street.

Materials, Colours and Details

1. Concern about the bollards and chain; more thought needs to be given to the functionality and look of this element.
2. Encourage an attractive finish to the existing patio retaining wall.
3. Encourage lounge-style seating and heaters on the patio, as well as encouragement for fixed furniture to allow barrier-free access through the space to the storefronts.
4. Snow sheds off the main roof of the building. Consider this with respect to the skylight in the flat roof.
5. It was noted that liquor licensing does not allow shared patios.
6. It was noted that the stairs on the south end of the Lift Coffee Co. could be relocated.
7. Concern was noted over the amount of additional shade on the patio at 4 pm. Panel generally felt that this shouldn't be an issue in terms of the approvability of this project.

Universal Design

1. Circulation of cars, pedestrians, delivery, accessible parking are not adequately resolved. Consider leaving current situation as it is.
2. Accessible parking location not workable. This is a very desirable location for accessible parking to provide access to the gondola, however the proposed location of the accessible parking in the middle of the turn-a-round is not supported.
3. An alternative pedestrian circulation route is needed when trucks are in the loading bay.
4. A number of curb cuts are recommended for improved pedestrian access.

CARRIED.

The applicant team left the meeting.

**Hearthstone Lodge/
Rainbow Condos
2nd Review
File No. DP1221/1222**

~~The applicant team of Gerry Blonski, Architect and Michael Rabkin entered the meeting.~~

~~Melissa noted this is two development permit applications discussed as one. The proposed elevator and ramp will enhance accessibility to the buildings. The improvements encroach onto municipal land.~~

~~The applicant presented:~~

1. The elevator tower will be kept to a minimum height to lessen its visual impact.
2. A ramp is proposed to provide access from the street grade.
3. The delivery lift on the back of the liquor store will remain but will be screened.
4. Heavy post and beam canopy roof over the new stairs and ramp.
5. The elevator location was chosen for its ability to be shared by both

Cheakamus North
Zoning Amendment
Report No. 11-053
File No. RZ. 1032

Moved by Councillor T. Thomson
Seconded by Councillor C. Quinlan

That Council consider adopting "Zoning Amendment Bylaw (Cheakamus North Residential – Density Bonus) No. 1958, 2010."

CARRIED

7:09 p.m. Councillor Milner returned.

DP 1169 - Araxi Patio
Report No. 11-047
File No. DP 1169

Moved by Councillor G. Lamont
Seconded by Councillor T. Milner

That Council approve Development Permit Application No. 1169 for upgrades to the Araxi patio per the plans prepared by Bricault Design dated February 23, 2011 and included in Appendix B, subject to the resolution of the following items all to the satisfaction of the General Manager of Resort Experience:

1. Execution of a new patio license and encroachment agreement;
2. Submission of a cost estimate for the hard and soft landscaping and, if required, provision of a letter of credit or other approved security, in the amount of 135 percent of the costs of the landscape and paving works as security for the construction and maintenance of these works;
3. Strata approval in the form of certified strata minutes;
4. Adherence to the Whistler Village Construction Management Strategy;
5. Finalization of the architectural and landscape plans and details to address the items specified in the letter attached as Appendix C; and further

That Council authorizes the directors of the Whistler Village Land Co. Ltd. to execute the above referenced agreement.

CARRIED

4050 Whistler Way –
Hilton Retail Building
Report No. 11-051
File No. RZ 1046

Moved by Councillor T. Thomson
Seconded by Councillor E. Zeidler

That Council endorse further review of Rezoning Application No. 1046: Hilton Retail Building.

CARRIED

Paddle Board
Concession, Alpha
Lake Park
Report No. 11-050
File No, 8520.10

At 7:31 p.m. Councillor Zeidler declared a conflict of interest and left the meeting.

Moved by Councillor C. Quinlan
Seconded by Councillor T. Milner

That Council authorizes the Mayor and Corporate Officer to sign a License Agreements under the terms and conditions as outlined in the Term Sheet and subject to successful conclusion of negotiations with the proponent REO Rafting Resort.

CARRIED

7:47 p.m. Councillor Zeidler returned. Councillor Zeidler declared that his conflict of interest is that a client of his is a competitor of the applicant.

Announcements about Whistler X-Games will come out at the end of April.

Mayor Wilhelm-Morden reported that 12 four and five year-olds from the Myrtle Philip pre-school program came to Municipal Hall to visit the Mayor's office yesterday.

Mayor Wilhelm-Morden reported that Council had their ski day this morning.

Mayor Wilhelm-Morden reported that at the second Committee of the Whole meeting today, Council received preliminary presentations from Whistler Museum and Archives Society, Whistler Arts Council, Whistler Animals Galore (WAG), and Whistler Chamber of Commerce as organizations that receive financial assistance from the municipality.

Councillor J. Faulkner reported that the Public Arts Council was reviewing submissions for an RFP for the memory of Seppo and should be making an announcement soon.

INFORMATION REPORTS

Temporary Skating
Facility In Whistler
Olympic Plaza
Report No. 12-019
File No. 8213

Mayor Wilhelm-Morden announced that the last day of skating operations is March 25, 2012.

Moved by Councillor J. Faulkner
Seconded by Councillor J. Grills

That Council receive Information Report No. 12-019 regarding the temporary skating facility in Whistler Olympic Plaza.

CARRIED

ADMINISTRATIVE REPORTS

Watercraft Rental
Concessions at Lakeside
Park and Wayside Park
Report No. 12-020
File No. 8520.1

Moved by Councillor A. Janyk
Seconded by Councillor J. Crompton

That Council approves the terms (Appendix A to Administrative Report No. 12-020) of an Agreement between the RMOW and Whistler Backroads Mountain Bike Adventures Ltd. to operate a Watercraft Rental Concession at Lakeside Park, and

That Council approves the terms (Appendix B to Administrative Report No. 12-020) of an Agreement between the RMOW and Whistler Eco Tours Ltd. to operate a Watercraft Rental Concession at Wayside Park.

That the Mayor and the Corporate Officer be authorized to sign these contracts.

CARRIED

4050 Whistler Way –
Hilton Retail Building
Report No. 12-021
File No. RZ 1046

Moved by Councillor A. Janyk
Seconded by Councillor D. Jackson

That Council give first and second readings to Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012;

That Council authorize the Mayor and Corporate Officer to schedule a public hearing regarding Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012 and to advertise for same in the local newspaper;

That Council direct staff to advise the applicant that before consideration of adoption of Zoning Amendment Bylaw (Hilton Retail Building) No. 1990, 2012, the following matters shall be completed to the satisfaction of the General Manager of Resort Experience:

1. Registration of a Section 219 covenant in favour of the Resort Municipality of Whistler to:
 - a) reflect the proposed development, establish the timing for completion of the Springs Lane pedestrian and parking improvements and establish the permitted use of the basement gross floor area;
 - b) ensure that the proposed development achieves the performance goals for commercial buildings established in the municipality's Green Building Policy G-23; and
 - c) require a project completion report detailing the implementation of the green building practices.
2. Payment of any outstanding rezoning application fees; and further

That Council authorize the Mayor and Corporate Officer to sign the aforementioned legal documents.

CARRIED

Resort Municipality
Initiative and Festivals,
Events and Animation
Update
Report No. 12-022
File No. 8355

Moved by Councillor A. Janyk
Seconded by Councillor J. Grills

That Council support the implementation of the Resort Municipality Initiative ("RMI") and Festivals, Events and Animation ("FE&A") initiatives as outlined;

That Council authorize staff to amend and bring forward for Council's consideration Policy F-30 2011 RMI Consultation to include the establishment of an RMI Oversight Committee;

That Council authorize staff to establish an FE&A Oversight Committee;

That Council authorize staff to engage the RMI Oversight Committee and the FE&A Oversight Committee upon the development of the terms of reference for both committees;

That Council authorize staff to develop terms of reference for the FE&A Working Group;

That Sue Adams be appointed as the member at large on the FE&A Oversight Committee;

Melissa Laidlaw

From: Melissa Laidlaw
Sent: Monday, March 19, 2012 2:17 PM
To: 'Doug Forseth (WB)'
Subject: RZ 1046 - Hilton Retail Building
Attachments: SMinolta112021515230.pdf

Importance: High

Hi Doug,

Further to my March 8, 2012 email, what wasn't demonstrated in the site plan presented to Council on March 6, 2012 is the existing W/B ski school load in/out, and day time W/B loading/parking and limited W/B night time parking (demonstrated on the attached drawing) as supported by staff and the Fire Chief such that a fire lane is always maintained and one 1.5 metre clear width sidewalk access is always maintained (eg. during ski school load in/out and overnight, the sidewalk adjacent to the gondola building is accessible, when large trucks are backed into the Gondola Building loading bay the sidewalk on the Hilton side of Springs Lane Plaza is accessible). Further, it is requested by the Fire Chief that except for the 2 – 24 hour parking spaces, loading spaces and accessible parking spaces, that the remaining signage in Springs Lane Plaza read No Parking Fire Lane, with the understanding that W/B vehicles may park in the designated overnight areas.

I will demonstrate the above in a slide at the public hearing (tentatively scheduled for April 3, 2012, but request that you first communicate the parking changes demonstrated in the attached drawing to Eric Foas, Vice President of Strata Plan LMS 4089, as the 1998 Spring Lane Management Agreement and 2011 Amending Agreement do not expressly permit private vehicles to access Springs Lane Plaza to park in the accessible parking stalls, nor does it permit parking in Springs Lane Plaza for longer than a 5 minute duration. Please confirm this communication to me.

Regards,

Melissa Laidlaw
PLANNER, RESORT EXPERIENCE

RESORT MUNICIPALITY OF WHISTLER
4325 Blackcomb Way
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MUNICIPAL WEBSITE: <http://www.whistler.ca>
OFFICIAL COMMUNITY PLAN UPDATES: <http://www.whistler2010.com>

Whistler was the proud Host Mountain Resort for the 2010 Olympic and Paralympic Winter Games.

From: Doug Forseth (WB) _____
Sent: Monday, February 27, 2012 10:26 AM
To: Melissa Laidlaw
Cc: Rob Whitton; Jan Jansen; 'Bryce Margetts'
Subject: FW: RZ 1046 - Hilton Retail Building

Hi Melissa,

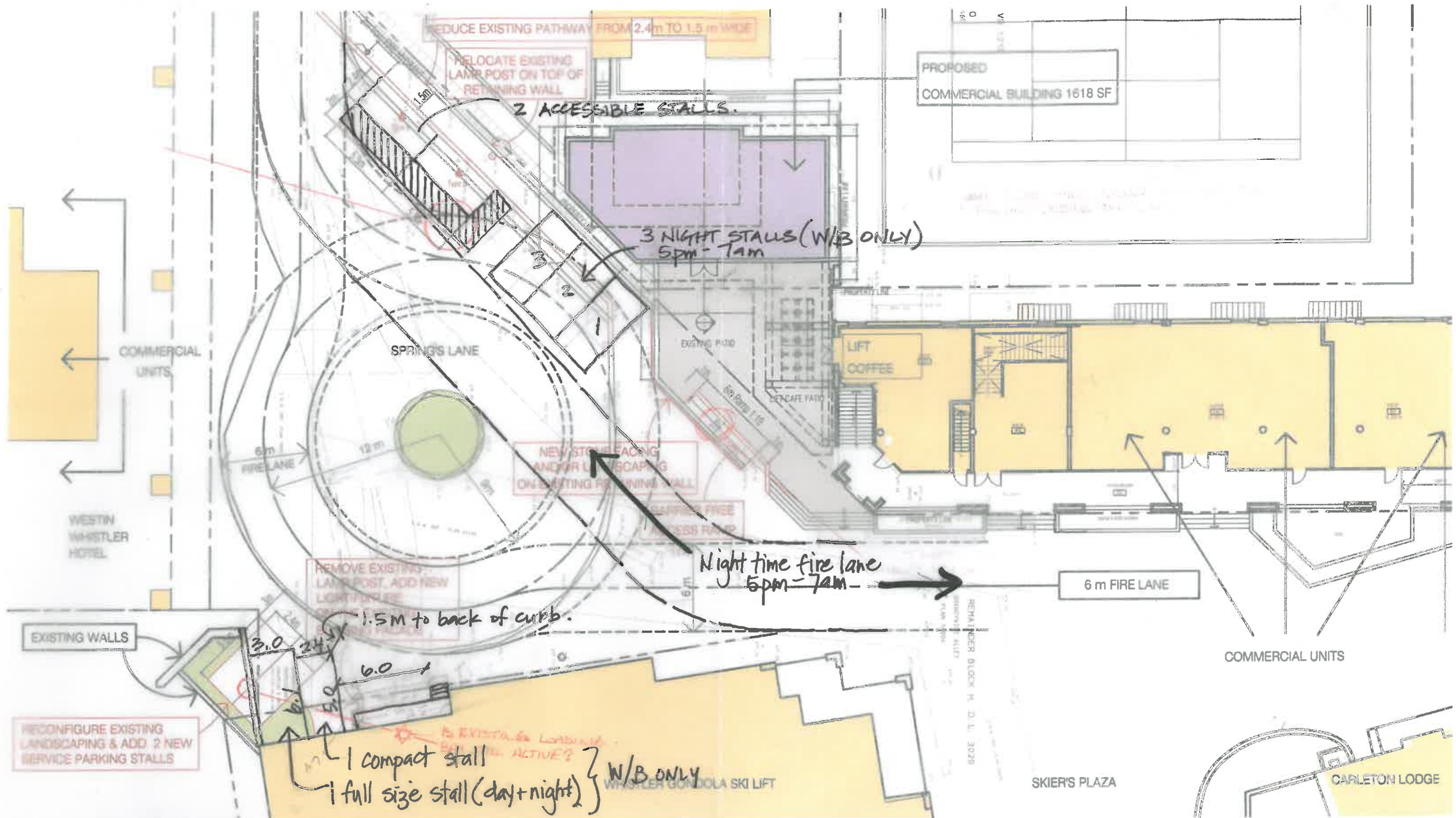
Further to our recent phone discussion, I am pleased to confirm that Whistler Blackcomb is supportive of the proposed Hilton Commercial project (RZ 1046) based on the following understandings and subject to those understandings being implemented in a timely manner.

ESSENTIAL CONDITIONS

1. The 2 - 24 hour parking spaces and 3 overnight parking spaces be allowed for WB decal marked vehicles as outlined below and supported by the attached drawing. The construction costs of the 2 overnight parking spaces will be paid for by the Hilton project.
2. The 2 Accessible parking spaces will not be available between the hours of 8 – 10 AM and 2 – 4 PM while Whistler Kids programs are operating (approximately 5 months of the winter season).
3. WB and the Hilton developer will complete a Right of Way agreement allowing the Hilton project access over Crown Lands managed by Whistler Blackcomb. This ROW will follow previously agreed upon terms between the developer and WB.
4. The overriding concept for Springs Lane and cul de sac will be that except for designated areas, there is to be no parking. It is agreed that during the drop-off and pick-up periods for Whistler Kids, cars will be allowed to park on the sidewalks for brief periods of time. During these times WB will have personnel managing the area. Signage will be changed from 5 Minute Drop Off to No Parking except where posted for approved WB parking.
5. While Whistler Blackcomb will cooperate in a reasonable manner to facilitate the proposed new Hilton Retail Building, it will be limited by 2 primary factors. The first is that decisions must not negatively impact WB's business and the second is that WB is not prepared to accept financial responsibility for any of the required improvements.

There are other more minor details that we have talked about incorporating into this project which have been previously documented. In essence, as long as the **Essential Conditions** as noted above are followed we are likely working in the agreed upon manner.

Doug Forseth | Vice President
Planning, Government Relations & Special Projects
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PEDESTRIAN & VEHICULAR CIRCULATION
& SPRING'S LANE TURN AROUND
SCALE: 1"=20'-0"

PROPOSED HILTON WHISTLER RETAIL BUILDING | WHISTLER, B.C.

studio one
architecture inc.

