



PUBLIC HEARING OF MUNICIPAL COUNCIL  
AGENDA

Tuesday, March 9, 2021, 5:30 p.m.

Remote Meeting

To attend via Zoom go to [www.whistler.ca/CouncilMeetings](http://www.whistler.ca/CouncilMeetings)

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**1. Public Hearing - Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020**

This meeting is being held electronically in accordance with Local Government Meetings and Bylaw Process (COVID-19) Order No. 3 (Ministerial Order M192/ 2020).

The Public Hearing can be accessed via online video or phone conferencing:

<https://whistler.zoom.us/j/69745396460>

Phone: +1-778-907-2071 or +1-647-374-4685

Webinar ID is: 697 4539 6460

**2. Call to Order**

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 (8200 Bear Paw Trail) No. 2297, 2020" (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.

**3. Purpose of "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020"**

As stated in the Notice of Public Hearing, the purpose of "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020" is to increase the range of permitted uses in the CD1 Zone applicable to the Subject Lands to allow a child care facility and a broader range of neighbourhood serving commercial uses. With the exception of the grocery store, the proposed Bylaw also requires the commercial floor area of the Subject Lands be demised into at least three commercial retail units, of which a minimum of 85 square metres of gross floor area must be in use as or available for use as a café, restaurant or neighbourhood public house.

**4. Presentation**

A presentation by municipal staff regarding the proposed Bylaw.

**5. Submissions**

Submissions by any persons concerning the proposed Bylaw.

**6. Correspondence**

Receipt of correspondence regarding the proposed Bylaw.

**7. Motion to Close the Public Hearing**

**That** Council close the Public Hearing for "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020".

## PUBLIC HEARING DOCUMENT INDEX

Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020		
Document Type	Date	Details
Public Hearing Document Index		
Notice of Public Hearing	25-Feb-21	Notice of Public Hearing (Scheduled for March 9, 2021)
Proposed Bylaw		Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020
Council Report 21-018	16-Feb-21	Administrative Report to Council: Zoning Amendment Bylaw (8200 Bear Paw Trail) No.2297, 2020 First and Second Readings
Presentation Slides	16-Feb-21	Presentation slides for Report to Council
Council Minutes	16-Feb-21	Minutes of the Regular Meeting of Council of February 16, 2021
Title Search	28-Jan-20	Title Search
Correspondence	19-Jan-21	Carla Areny
Correspondence	19-Jan-21	Patricia Subias and Pablo Urrea
Correspondence	19-Jan-21	Flory Galigao
Correspondence	8-Mar-21	Rod Nadeau
Correspondence	8-Mar-21	Spencer Charlton
Correspondence	8-Mar-21	Theron Jordan
Correspondence		Correspondence will be added to the package as it is received

## **NOTICE OF PUBLIC HEARING**

**TUESDAY, MARCH 9, 2021 – 5:30 P.M.**

This Public Hearing will be held electronically pursuant to Local Government Meetings and Bylaw Process (COVID-19) Order No. 3 (Ministerial Order M192/2020).

If the Government of British Columbia lifts the Provincial State of Emergency currently in place before March 9, 2021, this Public Hearing will be held at the following location:

MAURY YOUNG ARTS CENTRE  
Franz Wilhelmsen Theatre, 4335 Blackcomb Way, Whistler, BC

### **ZONING AMENDMENT BYLAW (8200 BEAR PAW TRAIL) NO. 2297, 2020**

**SUBJECT LANDS:** The parcel that is the subject of the proposed Bylaw is 8200 Bear Paw Trail, Whistler, described as Lot 9, District Lot 7302, Group 1 New Westminster District, Plan BCP38413. The parcel is identified as “subject property” on the map attached to this notice.

#### **PURPOSE:**

In general terms, the purpose of the proposed Bylaw is to increase the range of permitted uses in the CD1 Zone applicable to the Subject Lands to allow a child care facility and a broader range of neighbourhood serving commercial uses. With the exception of the grocery store, the proposed Bylaw also requires the commercial floor area of the Subject Lands be demised into a least three commercial retail units, of which a minimum of 85 square metres of gross floor area must be in use as or available for use as a café, restaurant or neighbourhood public house.

#### **INSPECTION OF DOCUMENTS:**

A copy of the proposed Bylaw and relevant background documentation along with written submissions received 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., Monday to Friday (statutory holidays excluded) from February 25, 2021 to and including March 9, 2021.

A copy of the proposed Bylaw and relevant background documentation along with written submissions received may also be viewed online on the Resort Municipality of Whistler (RMOW) website at:

[whistler.ca/RZ001164](http://whistler.ca/RZ001164)

#### **PUBLIC PARTICIPATION:**

All persons who believe that their interest in property is affected by the proposed Bylaw will be afforded a reasonable opportunity to be heard by Council at the Public Hearing. All persons can: 1) submit written comments to Council; and/or 2) make oral representations LIVE via online video or phone conferencing. (Your image will not be broadcast to Council or the public.)

#### **1. Submit Written Comments to Council**

Written comments must be addressed to “Mayor and Council”, and include your name and mailing address. Until 3:30 p.m. on March 9, 2021, written submissions will be received at the following:



**Email:** [corporate@whistler.ca](mailto:corporate@whistler.ca)  
**Fax:** 604-935-8109  
**Hard Copy:** Resort Municipality of Whistler  
Legislative Services Department  
4325 Blackcomb Way  
Whistler BC V8E 0X5

Written submissions will also be accepted on March 9, 2021 between 3:30 p.m. and the time when the motion to close the Public Hearing is made. During this timeframe, written comments must be submitted by email to: [corporate@whistler.ca](mailto:corporate@whistler.ca)

All submissions will form part of the Public Hearing record and will be added to the Public Hearing Package as they are received. The Public Hearing Package will be available on the RMOW website at: [whistler.ca/RZ001164](http://whistler.ca/RZ001164)

## **2. Participate LIVE via Online Video or Phone Conferencing**

The live Public Hearing will take place March 9, 2021 at 5:30 p.m. via online video and phone conferencing. The Public Hearing will be conducted using Zoom and can be accessed via either online video or phone conferencing. No registration is required.

If you wish to make oral representations to Council on the proposed Bylaw by online video or by phone, please use the Public Hearing web link or one of the phone numbers (including Webinar ID) provided below.

- The web link for the Public Hearing online video option is: <https://whistler.zoom.us/j/69745396460>
- The phone numbers to access the Public Hearing phone conferencing option are as follows:  

+1-778-907-2071      +1-647-374-4685
- The Webinar ID is: **697 4539 6460**

### *Instructions for Participating via Zoom Online Video or Phone Conferencing*

- Online video: It is possible to access the Public Hearing on a computer, tablet or smartphone using the web link above. Your camera will not be available, but your microphone will need to be enabled. To indicate that you wish to make an oral representation, click on the 'raise hand' feature. The moderator will allow each person to speak in turn. When it is your turn to speak, your microphone will be unmuted and you will be asked to provide your name and address for the public record. Please be patient as there may be others in the queue before you.
- Phone conferencing: To access the Public Hearing by phone, use one of the phone numbers above along with the Webinar ID as prompted. To indicate that you wish to make an oral representation, use the 'raise hand' feature by dialing [\*9]. When it is your turn to speak, the moderator will announce the last three digits of your phone number, and your line will be unmuted. You will be asked to provide your name and address for the public record. Please be patient as there may be others in the queue before you.



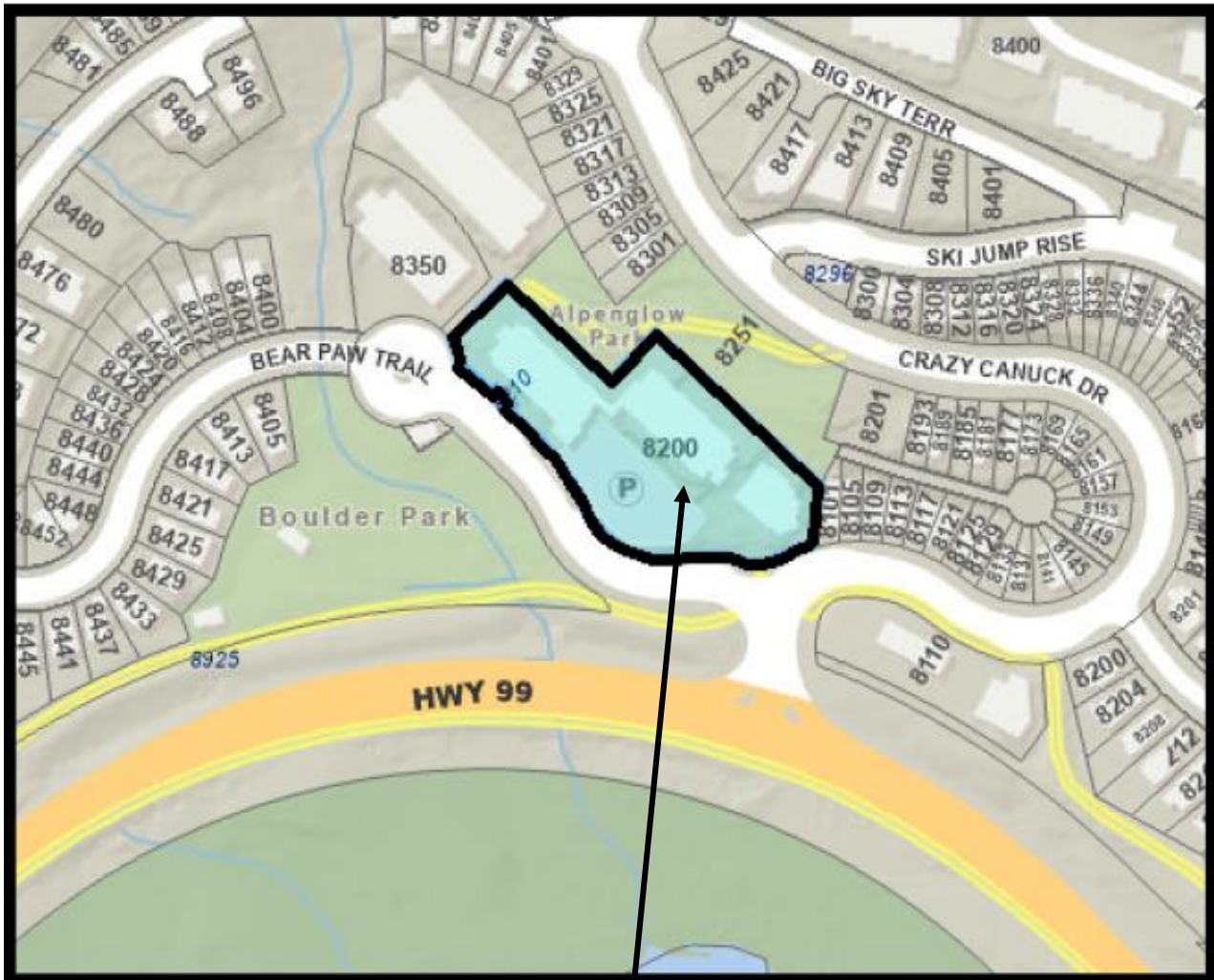
*After the conclusion of this Public Hearing, Council cannot receive representations from the public on the proposed Bylaw.*

General information on participating in the RMOW's electronic public hearings is available here:  
<https://www.whistler.ca/municipal-gov/council/public-hearings>

Members of the public can also view the Live Stream of the Public Hearing at:  
<https://www.whistler.ca/municipal-gov/council/watch-council-meetings>

**ZONING AMENDMENT BYLAW  
(8200 BEAR PAW TRAIL)  
NO. 2297, 2020**

**Map showing Subject Lands**



**Subject Lands**

**RESORT MUNICIPALITY OF WHISTLER  
ZONING AMENDMENT BYLAW (8200 BEAR PAW TRAIL) NO. 2297, 2020**

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

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**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;

**AND WHEREAS** Council may, pursuant to section 482 of the *Local Government Act*, establish different density rules for a zone, one generally applicable and the others to apply if the owner meets conditions set out in the bylaw.

**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 (8200 Bear Paw Trail) No. 2297, 2020”.
2. In Part 13 of “Zoning and Parking Bylaw No. 303, 2015” (the “Zoning Bylaw”), Section 52 CD1 Zone (Comprehensive Development Zone) is amended as follows:
  - a) In subsection (2) paragraph (g), “Local service commercial” is replaced with “Retail”.
  - b) In subsection (2) paragraph (h), “Local personal service” is replaced with “Personal Service”.
  - c) Subsection (2) paragraph (l) is deleted.
  - d) In subsection (5), “(2) (g), (h), (i), (j), (k), and (l)” is replaced with “(2) (g), (h), (i), (j) and (k)”.
  - e) In subsection (6), “(2) (g), (h), (i), and (j) is 1900 square metres” is replaced with “(2) (g), (h), (i), (j), and (m) in Parcel Lot 9 is 2000 square metres”
  - f) The following text is added as a new subsection (9), the remaining subsections are renumbered accordingly, and any references to those subsections are amended to reflect the renumbering:

“Excluding the grocery store, the remaining commercial floor area of Parcel Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 450 square metres, and with a minimum of 85 square metres Gross Floor Area in use as or available for use as a Café, Restaurant, or Neighborhood Public House.”
  - g) In subsection (16), “paragraphs (2) (g) (h), (i), (j), (l), (m) and (q)” is replaced with “paragraphs (2) (g) (h), (i), (j), (l), (m) and (n)”
3. The Zoning Bylaw is amended in Part 24, Schedule “M”, by adding “child care facility” as a Land Use for Parcel Lot 9, and the Land Use Plan forming part of Schedule M is replaced with the Land Use Plan attached to this Bylaw as Schedule 1.



4. The Zoning Bylaw is further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering, ordering of alphabetical lists, and the Schedules.

GIVEN FIRST AND SECOND READING this 16<sup>th</sup> day of February, 2021.

Pursuant to Section 464 of the *Local Government Act*, a Public Hearing was held this \_\_\_ day of \_\_\_\_\_, 2021.

GIVEN THIRD READING this \_\_\_ day of \_\_\_\_\_, 2021.

Approved by the Minister of Transportation and Infrastructure this \_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED by the Council this \_\_\_ day of \_\_\_\_\_, 2021.

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Jack Crompton, Mayor

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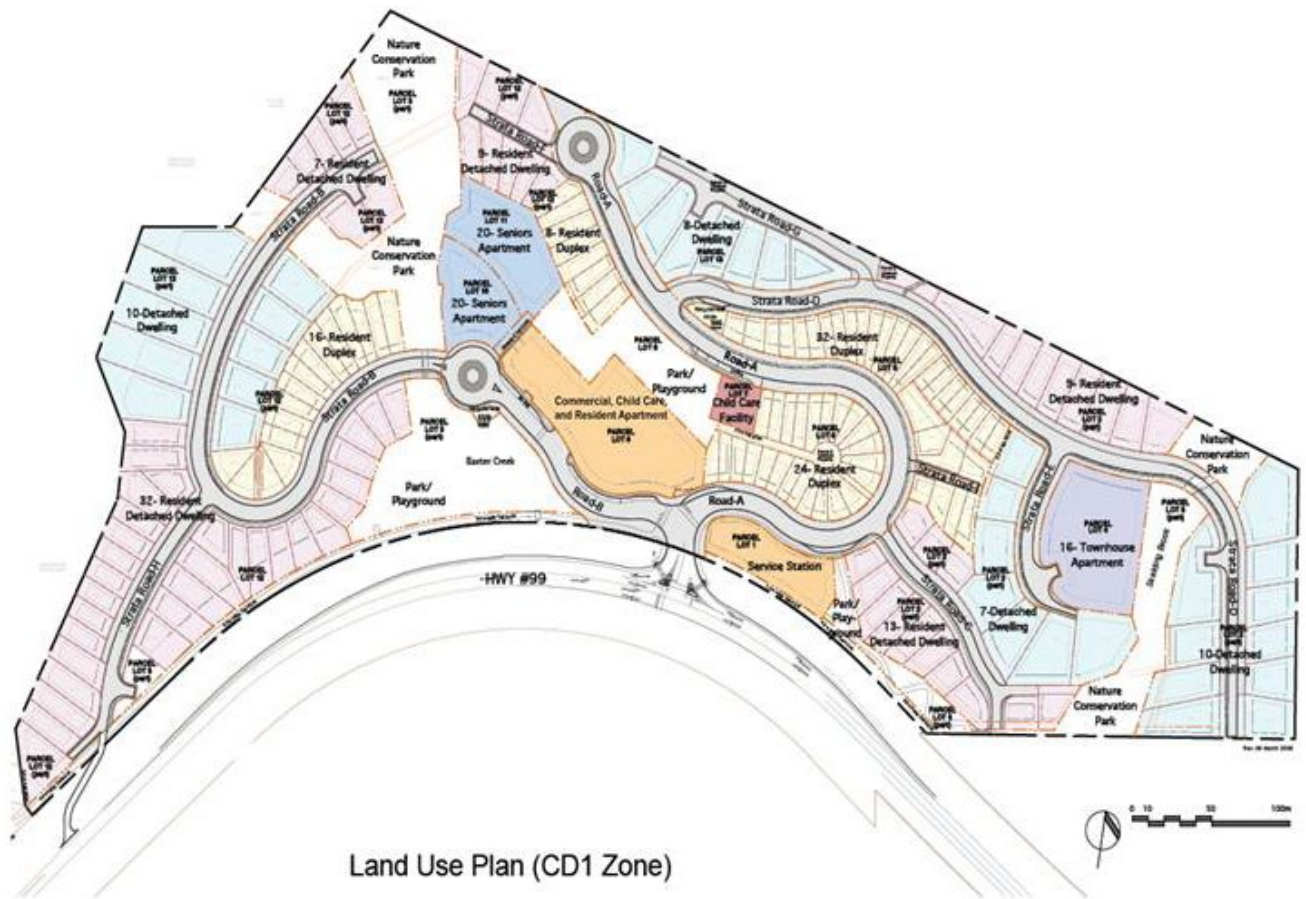
Brooke Browning, Municipal Clerk

I HEREBY CERTIFY that this is a true copy  
of "Zoning Amendment Bylaw (8200 Bear  
Paw Trail) No. 2297, 2020."

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Brooke Browning, Municipal Clerk

**SCHEDULE 1 to Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020**





## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** February 16, 2021  
**FROM:** Resort Experience  
**SUBJECT:** RZ001164 – 8200 BEAR PAW TRAIL – RAINBOW PLAZA REZONING

**REPORT:** 21-018  
**FILE:** RZ001164

### 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 (8200 Bear Paw Trail) No. 2297, 2020”; and further

**That** Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”.

### REFERENCES

Location: 8200 Bear Paw Trail  
Legal Description: PID 027-688-062; LOT 9 DISTRICT LOT 7302 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP38413  
Owner: Rainbow Canuck Properties  
Current Zoning: CD1 Zone (Comprehensive Development One)  
Appendix “A” – Location Map  
Appendix “B” – Applicant proposal letters  
Appendix “C” – Site Plan for Proposed Child Care Facility  
Appendix “D” – Rezoning Criteria Evaluation  
Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020 (not attached)

### PURPOSE OF REPORT

This Report presents “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” for Council consideration of first and second reading, and recommends that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”.

The proposed bylaw will amend the regulations applicable to the CD1 Zone. The CD1 Zone is a comprehensive development zone applicable to the Rainbow neighbourhood, however, the proposed bylaw amendment is specific to Rainbow Plaza, located at 8200 Bear Paw Trail. The proposed bylaw will increase the range of Permitted Uses in the CD1 Zone applicable to 8200 Bear Paw Trail to permit Child Care Facility and to allow a broader range of neighbourhood serving commercial uses that are

not limited to those identified as local service commercial and local personal service. The proposed bylaw will also alter the density requirements for commercial uses in the CD1 Zone applicable to 8200 Bear Paw Trail to allow more flexibility and a broader range of commercial tenants without increasing the overall maximum density currently permitted.

## **DISCUSSION**

### **Site Context**

As shown in Appendix “A”, the subject property is located at 8200 Bear Paw Trail, in the Rainbow neighbourhood. The property consists of a mixed use commercial and residential development with approximately 1,953 square meters of commercial floor area and 4,277 square metres of residential floor area. The building’s existing commercial floor area consists of a retail grocery store, a liquor store, a dentist office, a café and an unoccupied CRU with 171 square metres of vacant floor space.

### **Proposed Rezoning**

The applicant has requested that the CD1 Zone be amended to improve the viability of the commercial tenancies at 8200 Bear Paw Trail and improve the services offered to neighbourhood residents, citing that current regulations are too restrictive hindering the ability of businesses to locate in the area and limiting local neighbourhood residents’ access to everyday services within a walkable distance of their homes. There is currently one unoccupied Commercial Retail Unit (CRU) at 8200 Bear Paw Trail, and the applicant has identified that the regulations of the CD1 Zone has led to difficulty leasing out the available commercial space. The applicant has also requested to include Child Care Facility as a Permitted Use to accommodate a potential Child Care Facility in the vacant CRU at the site. The applicants Proposal letter and further letter to update the proposal are included as Appendix “B”.

The applicant has identified a potential client for a proposed Child Care Facility in the vacant CRU (Unit 109). The vacant CRU is 170 square metres in gross floor area, and the applicant has demonstrated that 24 children, plus five (5) staff could be accommodated in the unit (separated into an Infant/Toddler area and a Childcare Area) to comply with the requirements of British Columbia’s Child Care Licensing Regulation. A proposed outdoor play area of 92.9 square metres has been identified in the community space in the commercial plaza directly outside the CRU’s. The outdoor play area can accommodate a maximum of 15 children at any given time in accordance with the requirements of British Columbia’s Child Care Licensing Regulation. The outdoor play area can be used on a rotating schedule to accommodate different groups through the day.

Staff support the use of the existing outdoor community space in the commercial plaza for the proposed Child Care Facility outdoor play area as each apartment in the development has access to a balcony or patio, existing outdoor seating areas and patio spaces are not impacted, and Rainbow Plaza is adjacent to two municipal neighbourhood parks that provide passive and active outdoor space including a playground structure for the neighbourhood residents. Staff also feel that the outdoor childcare use would add animation and activity to the outdoor space and be well aligned with the adjacent café use.

A draft site plan of the proposed Child Care Facility is included as Appendix “C”. A Development Permit would be required for any proposal to construct a Child Care Facility at the site.

### **Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020**

“Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” has been prepared to allow a greater variety of commercial uses applicable to 8200 Bear Paw Trail in the CD1 Zone, while ensuring appropriate commercial space remains available for a mixture of uses that activate the area and meet

the commercial needs of the northern neighbourhoods.

“Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” proposes the following changes to the existing CD1 Zone:

- 1) Replace ‘Local Service Commercial’ with ‘Retail’ as a permitted use in subsection (2) of the CD1 Zone.
  - “Local service commercial” means a retail grocery store, florist, video/cable store, postal outlet, coffee shop, retail packaged liquor sales, pet food sales or pharmacy.
  - This change is intended to allow a wider range of commercial offerings in line with other neighbourhood commercial areas in the Municipality. All of the specific uses listed under ‘Local Service Commercial’ are permitted under the ‘Retail’ definition.
- 2) Replace ‘Local Personal Service’ with ‘Personal Service’ as a permitted use in subsection (2) of the CD1 Zone.
  - “Local personal service” means barbershop, beauty salon, shoe repair, pet grooming, exercise studio, dry cleaning, or laundromat.
  - This is intended to permit a broader variety of Personal Service uses, and would also include the dental office use currently existing at 8200 Bear Paw Trail. All of the specific uses listed under ‘Local Personal Service’ are permitted under the ‘Personal Service’ definition.
- 3) Remove ‘Office’ from the permitted uses in subsection (2) of the CD1 Zone.
  - This is intended to exclude offices not associated with a service as an office that is not related to or subordinate to a ‘Personal Service’ could reduce activation.
  - The expansion of permitted uses in the zone to include ‘Personal Service’ allows for medical, dental, and insurance company types of service office uses.
- 4) Increase the maximum gross floor area (GFA) from 1,900 square metres to 2,000 square metres in subsection (6) of the CD1 Zone for uses permitted by subsection (2) (g), (h), (i), (j), and (m) in Parcel Lot 9.
  - In addition to the 1,900 square metres, the current CD1 Zone (2) (l) allows up to 100 square metres for Office, only if it is an office for a “health practitioner”. As the Zoning Amendment Bylaw proposes to remove ‘Office’ from the permitted uses, it is considered reasonable that the additional 100 square metres GFA be allowed for the permitted commercial uses (Retail, Personal Service, Restaurant, Neighbourhood Public House, and Child Care Facility).
  - This does not increase the overall commercial GFA permitted in the CD1 Zone.
- 5) Add “Excluding the grocery store, the remaining commercial floor area of Parcel Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 450 square metres, and with a minimum of 85 square metres Gross Floor Area in use as or available for use as a Café, Restaurant, or Neighborhood Public House.” as a new subsection (9) of the CD1 Zone.
  - This is intended to ensure that suitable GFA remains available for the non-grocery CRU’s at 8200 Bear Paw Trail to ensure a variety of services and uses available to the local public.
  - It was determined by staff that the minimum GFA available for the additional (minimum three) CRU’s should be 450 square metres, which is approximately 23 square metres less than the existing amount at 8200 Bear Paw Trail. This is to ensure that a sufficient

amount of space remains available for a variety of uses, and remains consistent with the current available GFA.

- The minimum of 85 square metres GFA for a Café, Restaurant, or Neighborhood Public House is intended to preserve the use of at least one CRU for a food and beverage type use, as this is deemed an important service and provides activation to the centre. Records indicate that the existing café's GFA is approximately 87.4m<sup>2</sup>.

"Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020" also proposes the following changes to Schedule "M" of Zoning and Parking Bylaw 303, 2015:

- 1) Replace the Land Use Plan of CD1 Zone in Schedule "M" with the updated Land Use Plan of CD1 Zone.
  - The updated Land Use Plan adds Child Care Facility as a permitted use at 8200 Bear Paw Trail in addition to the existing permitted uses of "Commercial and Resident Apartment".
- 2) Adding "child care facility" as a Land Use for Parcel Lot 9 in the table
  - This ensures that Child Care Facility is explicitly listed as a Land Use at 8200 Bear Paw Trail.

The changes to the existing CD1 Zone and Zoning and Parking Bylaw 303, 2015 proposed by "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020" remain consistent with the intent of the existing CD1 Zone to permit the development of locally oriented commercial uses.

## **POLICY CONSIDERATIONS**

### **Official Community Plan - Bylaw No 2199, 2018**

The subject lands are designated as Convenience Commercial in Schedule A of the Official Community Plan. The proposed rezoning remains consistent with the Convenience Commercial designation. The proposed zoning amendment is consistent with the applicable policies of the Official Community Plan as described in Appendix "D".

Any future development of the site is subject to Development Permit approval requirements and consistency with applicable OCP Development Permit Area guidelines.

### **Whistler Child Care Planning Project**

On August 18, 2020, Council received Information Report No. 20-073 regarding the final report for the Whistler Child Care Planning Project. The report identifies a care need for all children; most immediately for those aged 0-3 years and secondly after-school care for school-aged children. The report identified that when asked about the preferred location of child care within Whistler, 'close to home' ranked the highest by respondents. The provision of 24 additional Child Care Spaces at the subject site would directly support the target to increase the access rate from 14.3 to 17 spaces per 100 children by 2025. Given the creation and buildout of the Rainbow employee housing neighbourhood and lack of Child Care Facilities in the northern part of Whistler, staff support the

proposal to permit a Child Care Facility at the subject site.

### **Zoning and Parking Bylaw No. 303, 2015**

Proposed “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” would not result in requirement for additional parking stalls to be provide at 8200 Bear Paw Trail. The following commercial parking rates apply:

Use	Required Parking
Commercial uses including Retail, Personal Service, Restaurants, premises or portions thereof licensed for the sale and consumption of alcoholic beverages	4 spaces per 100 square metres of gross floor area of commercial use

Under the proposed Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020, subsection 6 of the CD1 Zone will limit the GFA of commercial uses to 2,000 square metres. As such, 80 commercial parking spaces are required under the proposed zoning. This is consistent with the amount required under the existing CD1 Zone.

On March 19, 2013, Council carried a resolution for Development Permit DP001249, which included a recommendation that Council grant a variance to the total number of commercial parking spaces from 80 to 76. Four (4) parking spaces at Rainbow Plaza were also secured by a statutory right-of-way for public use through Development Permit DP001249.

The site also features one (1) loading bay for the grocery store as well as two (2) loading spaces in front of the liquor store. Furthermore, additional public on-street parking is available along the Bear Paw Trail frontage of the site, and a bus stop is located adjacent to the site. As such, the existing car parking and loading spaces are considered to be acceptable. Future monitoring can be undertaken to ensure no conflicts arise.

### **BUDGET CONSIDERATIONS**

The proposed rezoning application is subject to rezoning application fees and cost recovery for staff processing and associated direct costs.

### **COMMUNITY ENGAGEMENT AND CONSULTATION**

A sign describing RZ001164 is posted on the property. To date, staff have received three (3) letters of support for the rezoning, specifically in regard to permitting a Child Care Facility at Rainbow Plaza.

The proposed zoning amendment is subject to a Public Hearing adhering to statutory public notice requirements, prior to Council consideration of third reading; therefore, this Report recommends that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020.

### **SUMMARY**

The proposed zoning amendment will strengthen the intention to the CD1 Zone, enabling a broader range of appropriately located commercial uses to operate at Rainbow Plaza to serve the needs of the neighbourhood over time. The proposed zoning amendment also ensures that the commercial area of 8200 Bear Paw Trail is separated into at least four (4) Commercial Retail Units (CRUs) including the grocery store.

The report recommends that Council give first and second readings to “Zoning Amendment Bylaw (Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” and that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”.

Respectfully submitted,

Clancy Sloan  
PLANNING ANALYST

for  
Mike Kirkegaard  
DIRECTOR OF PLANNING

for  
Jessie Gresley-Jones  
GENERAL MANAGER OF RESORT EXPERIENCE



### Subject Property





Brook Pooni Associates Inc.  
 Suite 200 – 1055 West Hastings Street  
 Vancouver, BC V6E 2E9  
[www.brookpooni.com](http://www.brookpooni.com)  
 T 604.731.9053 | F 604.731.9075

February 10, 2020

Planning Department  
 Resort Municipality of Whistler  
 4324 Blackcomb Way  
 Whistler, BC V8E 0X5

To Whom It May Concern:

**Re: Zoning Bylaw Text Amendment Application (updated) – 8200 Bear Paw Trail (Lot 9)**

On behalf of Ronmor Developers Ltd. (Ronmor), Brook Pooni Associates is submitting the enclosed Zoning Bylaw Text Amendment application for the property at 8200 Bear Paw Trail (Lot 9).

As you are aware, Ronmor has experienced difficulty leasing out commercial space on the site since the development's initial construction and occupancy. Current regulations are hindering the ability of businesses to locate in the area and limiting residents' access to everyday services within a walkable distance of their homes.

We are encouraged by the draft Official Community Plan which received third reading on July 23, 2019 and look forward to having this application considered under this context.

**Proposed Changes**

On behalf of Ronmor, we propose the following changes to the site's CD-1 zone to improve the viability of retail at this location and improve the services offered to residents of Rainbow Plaza:

- Section 2 (l):

Remove

"Office, limited to 100 square metres of floor area in the CD1 Zone which must be in use or available for use as a health practitioner's office"

Add the following permitted uses:

**Office, limited to 200 square metres of floor area in the CD1 Zone**  
**Retail; and**  
**Personal Service**

- Add the following as Section 9, under Density:

Excluding the grocery store, the remaining commercial floor area of Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 300 square metres.

### **Rationale and Project benefits**

The current regulations limit the range of goods and services accessible to residents of the local Rainbow Plaza community, which impacts the vibrancy of the community overall. If implemented, the proposed changes would allow professional offices, personal services, and retail uses to serve the Rainbow Plaza community, would still permit health practitioners without requiring this use, and would enable flexible uses to meet market demand.

Brook Pooni Associates understands that the RMOW wishes to provide for a fine grain of services in the commercial plaza and to prevent any one tenant from occupying the entire plaza. The proposed changes outlined above would limit the size of individual businesses, and are for the most part minor in nature. The proposed changes would address Ronmor's objective of increasing flexibility, while addressing the RMOW's desire to maintain a range of smaller CRUs.

Brook Pooni understands that RMOW has previously requested a minimum of four retail units (excluding the grocery store). The plaza currently has the following tenants on site:

- Grocery store
- Liquor store
- Dentist
- Coffee shop
- Vacant space

Existing provisions, such as the maximum of 400 sq m for any single occupancy, and the proposed requirement for at least 3 CRUs, would limit any one tenant from occupying too much space in the plaza and would provide for a fine grain of businesses.

The proposal would have no negative impacts on the surrounding community and require no exterior modifications or changes in height and built density. Bringing the vacant space on site into use would contribute to increased economic development in Whistler, and greater employment opportunities for the local population.

Bringing new goods and/or services to the Rainbow Plaza population would contribute to greater community vitality, reduced vehicular trip generation, and greater public amenity. Having more viable shops and services open throughout the day will enhance community safety and security.

### **Policy Background**

#### **Current Official Community Plan (OCP) (1993)**

The site is adjacent to an area designated "Existing Service Commercial and Industrial" by Schedule D of the current OCP. No other land use designation is identified in the current OCP.

The OCP provides direction for commercial uses outside the central precincts where the commercial use is intended to meet the needs of the immediate area.

Ronmor's proposal seeks to provide services for the local Rainbow Plaza community. Past potential tenants that would have aligned with the proposed new zoning included a physiotherapist's office, for

example, which would have met the intent of the OCP to provide services to meet the needs of the local community. This use was not permitted because of the existing zoning's limit on office space to 100 square metres.

### *Greenhouse Gas Emissions targets*

Whistler has set ambitious greenhouse gas reduction targets in its OCP (33% by 2020, 90% by 2060). Meeting these goals will be supported by providing a broader range of services in Rainbow Plaza, which is otherwise car-dependent and separated from the goods and services in the Whistler Village. The proposed changes will allow more residents to walk to meet their daily needs.

### *Development Permit Area 24*

The proposal would have no impacts on the conditions of DPA24, including protection of the natural environment, protection of development from hazardous conditions, and form and character considerations.

### *The OCP and Zoning Context*

The current OCP identifies that in areas outside of Whistler Village, Blackcomb, and Whistler Creek precincts, limited commercial development for local convenience commercial uses could be permitted. Uses identified in the Local Convenience (LC) zones include office, personal services, restaurant, and retail. The uses proposed for Rainbow Plaza would align with these uses.

Similarly, the Nester's Square development (zoned CL4) includes a grocery store, restaurants, barber shop, insurance broker, cell phone store, pet supply store, bank, liquor store, and grocery store. Similar uses would be appropriate to meet the day-to-day needs of Rainbow Plaza residents.

### **Whistler 2020 (2005)**

Whistler 2020 identifies a range of sustainability strategies that address themes such as the built environment, economy, health and social sustainability, and transportation.

The proposed text amendment would allow for better economic viability at Rainbow Plaza without impacting the vibrancy of Whistler Village, would support local employment, improve the ability of local residents to meet their day-to-day needs, and help to address Whistler 2020's goal of prioritizing pedestrian transportation by reducing car dependency for residents of Rainbow Plaza.

### **Draft OCP (Third Reading) (July 23, 2019)**

The draft OCP seeks to, among other important goals, protect the land, support a high quality of life in balance with a prosperous tourism economy, and support innovation and renewal.

The proposal supports better land use patterns, reduced car dependence, and improved quality of life for those who call Whistler home. The proposed changes are unlikely to affect the viability of the more boutique, tourist-oriented services in Whistler Village; however, the opportunity to provide a broader range of goods and services in Rainbow Plaza would provide closer access to potential medical, financial, or retail services.

Rainbow Plaza is designated Convenience Commercial by the draft OCP. This is defined as follows:

“Lands designated for neighbourhood-oriented convenience commercial development at a scale with uses that meet the day-to-day convenience oriented goods and services needs of the neighbourhood. Uses include retail, restaurant, office, and personal service functions. Convenience commercial centres at Nesters Square and Rainbow are scaled for an expanded market area beyond the immediate neighbourhood.”

Under current demising of the CRUs at Rainbow Plaza, there would be four CRUs and a grocery store, which aligns with conditions proposed by the site under previous negotiations with RMOW. In this application, Ronmor proposes a requirement for at least three CRUs (plus the grocery store) to ensure flexibility in the event of unit turnover in the future. Allowing three units will ensure a finer grain is required (the three units could not be consolidated into one large store) but also recognizes in some cases a larger use may be required to serve the expanded market contemplated for the site under the draft OCP.

Key draft OCP policies and objectives supporting the proposal include:

- *Policy 4.1.2.11: Optimize the use and function of existing and approved development. Support flexibility, diversity, adaptability and efficiency in land use and development, so the resort community can derive the greatest benefit from existing development and minimize the conversion of natural areas to development.*
- *Objective 4.1.4.1: Provide an adequate amount and variety of land uses and development in appropriate locations to meet the diverse needs of the community and the resort.*
- *Policy 4.1.4.6: Integrate compatible land uses where appropriate to enhance community livability and walkability.*
- *Policy 5.6.8.2: Recognize Nesters Square and Rainbow as locations for expanded convenience commercial developments scaled to serve a larger market area beyond the immediate neighbourhood.*
- *Policy 6.6.2.1: Support and encourage community-based businesses that enhance Whistler's character and authenticity.*
- *Policy 6.7.1.1: Support repurposing, reusing and optimizing built space instead of constructing new buildings.*
- *Policy 8.11.1.5: Support the private sector in providing general family medicine through a variety of mechanisms [...].*
- *Policy 8.11.1.6: Encourage the private sector in providing a full range of specialized health and wellness services, including sports medicine and injury recovery, that complement the public health care system.*
- *Objective 10.2.1: Treat land use as a primary determinant of transportation-based energy use.*
- *Policy 10.2.2.1: Use every reasonable opportunity to further the use of preferred modes of transportation.*

- *Policy 11.2.1.4: Strive to include commercial services when planning residential developments to increase walkability and reduce the need to travel by automobile.*

Based on Brook Pooni's review of the draft OCP, policy direction is closely aligned with the proposed text amendment and the rationale outlined above. The proposal does not impact any regulations under the applicable Development Permit Areas identified under the proposed OCP.

Thank you for your consideration of the proposed Zoning Bylaw amendments outlined above. We look forward to meeting with RMOW staff to discuss these proposals further.

Sincerely,

BROOK POONI ASSOCIATES

A handwritten signature in black ink, appearing to read 'Dan Watson', is positioned above the printed name.

Dan Watson, MPlan, RPP, MCIP

Senior Planner

t: 604.731.9053 x 115

e: [dwatson@brookpooni.com](mailto:dwatson@brookpooni.com)



January 7, 2021

Clancy Sloan  
Planning Analyst  
Resort Municipality of Whistler  
4324 Blackcomb Way  
Whistler, BC V8E 0X5  
(sent by email: [csloan@whistler.ca](mailto:csloan@whistler.ca))

**RE: 8200 Bear Paw Trail (Lot 9) Zoning Bylaw Amendment – Child Care Facility**

Dear Mr. Sloan,

Further to our rezoning submission of February 10, 2020 (see Attachment 1), Ronmor has identified the exciting opportunity to locate a Child Care Facility at Rainbow Plaza, which is located at 8200 Bear Paw Trail Parcel Lot 9 (site), in Whistler, BC.

Ronmor is seeking to provide child care in Unit 109, which is currently vacant. The proposed operator is named Whistler Kids (the operator). Ronmor is also exploring the potential to expand the childcare in the future to include unit 110, located immediately to the east, and currently occupied by a coffee shop.

Child Care is listed as a permitted use for the site under the CD1 zone; however, this use is restricted to Parcel Lot 7 (indicated in Schedule "M" of the Zoning Bylaw). As the subject parcel is Lot 9, a Zoning Bylaw amendment would be required to permit a Child Care use at this site.

To enable the current childcare proposal and the potential expansion, Pooni Group is requesting two revisions to the draft zoning bylaw amendment shared by the RMOW on September 14, 2020 (see attachment B). These requested revisions are:

1. To include childcare use as a permitted use at this location; and
2. To remove the requirement for at least 85 sq m GFA for a Café, Restaurant, or Neighbourhood Public House should a childcare facility be in operation on the site.

This letter provides background on the proposed Child Care Facility and a rationale to include Child Care as a permitted use at the site. A site photo illustrating the location of the proposed Child Care Facility is included in **Figure 1**.

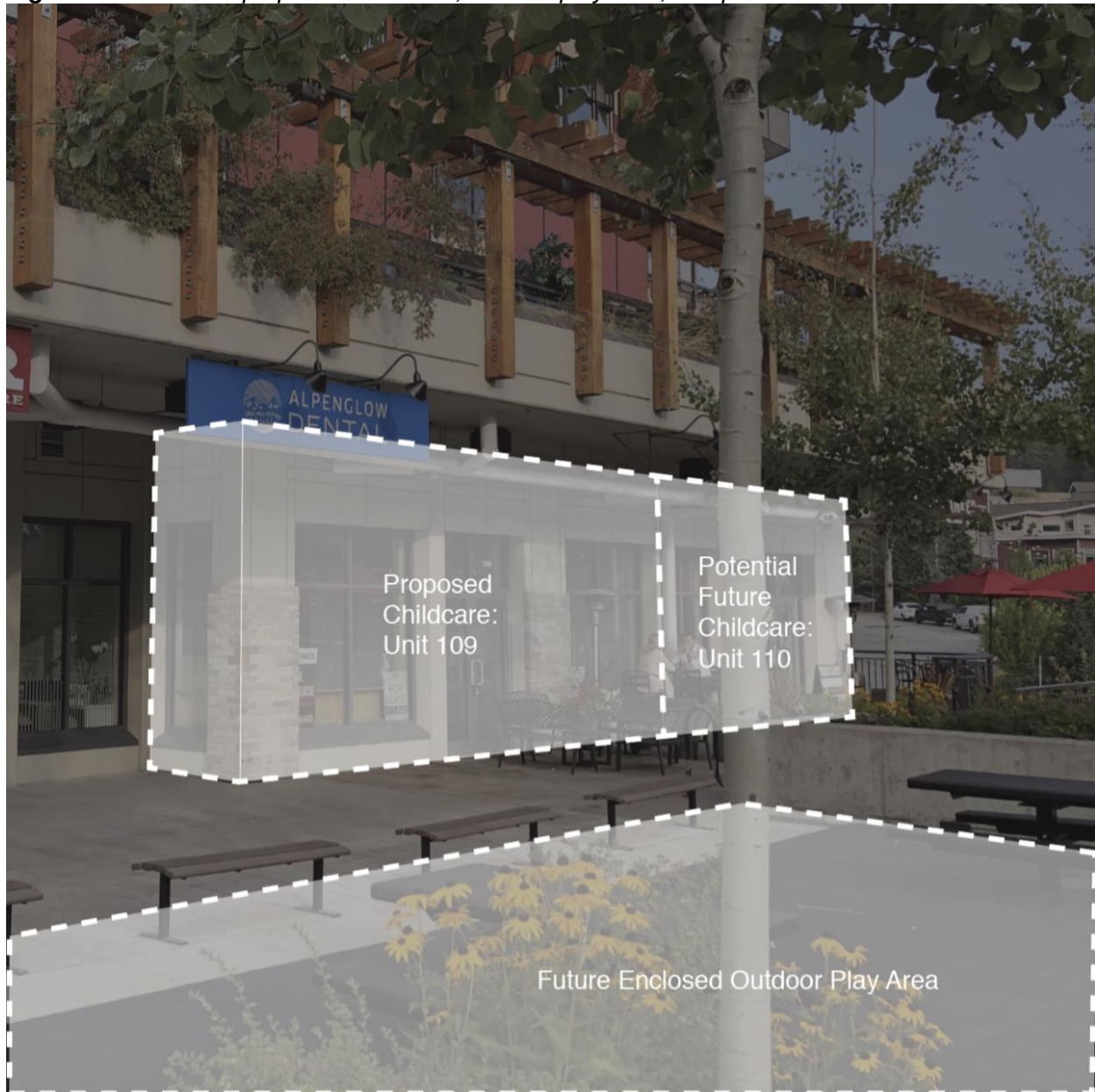


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**Figure 1.** Location of proposed child care, outdoor play area, and potential future child care.







## **Proposed Childcare Statistics and Provincial Regulations**

Ronmor is proposing to locate a childcare tenant in Unit 109, which is currently vacant. The total unit area is 1,838 sq ft (170.82 sq m) and the net occupied area is 1,668 sq ft (154.9 sq m). The proposed operator, Whistler Kids, has provided a partial site plan (**Attachment 3**) and proposed floorplan (**Attachment 4**). Site and occupancy statistics are summarized in **Table 1** below.

**Table 1: Infant/Toddler and Childcare Area Calculations**

	Total Area	Open Area	Min. Space per Child	Max. Children	Staff Required	Total Occupant Load
Infant/Toddler Area	653 sq ft (60.6 sq m)	460 sq ft (44.6 sq m)	3.7 sq m	12	3 (1 per 4 children)	15
Childcare Area	734 sq ft (68.1 sq m)	480 sq ft (44.6 sq m)	3.7 sq m	12	2 (1 per 8 children)	14
<b>Total Infant/Toddler / Childcare</b>	<b>1,667 sq ft (154.9 sq m)</b>			<b>24</b>	<b>5</b>	<b>29</b>

British Columbia's Child Care Licensing Regulation requires at least 6 sq m (65 sq ft) of outdoor play area per child. If the licensee provides more than one type of program, the space may be used on a rotation schedule, provided it is adequate for the largest group. The proposed outdoor fenced-in play area is 1,001 sq ft (92.9 sq m), which allows for 6.2 sq m of outdoor space for 15 children. Using a rotation schedule, this meets the provincial requirements for the two groups of children. A draft schedule outlining the shared use has been provided by the operator and is attached in **Attachment 5**.

## **Potential Childcare Expansion**

Given the high demand for childcare services in the area, Ronmor wishes to explore the potential to expand the footprint of the childcare space into Unit 110, which is located immediately to the east of the proposed childcare space in Unit 109. As this expansion is not proposed at the present time, a floorplan has not been prepared; however, the suitability of the space can be predicted based on the following assumptions:

- Unit 110 is 87.4 sq m;
- Open area is anticipated to be in the range of approximately 65% of the total unit area, which would yield an open area of about 56.8 sq m;
- 3.7 sq m open area is required per child; therefore,
- The space could accommodate approximately 15 children.

The outdoor play area can accommodate a maximum of 15 children at any given time, and the children in Unit 110 could be scheduled into the available timeslots in the draft playground schedule outlined in **Attachment 5**.

Unit 110 is currently occupied by a coffee shop. The proposed bylaw amendments as drafted by the RMOW (see Attachment 2) include the following requirement in Section 9:



“Excluding the grocery store, the remaining commercial floor area of Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 450 square metres, and with a minimum of 85 square metres Gross Floor Area in use or available for use as a Café, Restaurant, or Neighbourhood Public House.”

A childcare use serves a highly desirable public function as outlined under “Policy Context” below, Pooni Group suggest that the requirement for a Café, Restaurant, or Neighbourhood Public House be removed from the draft bylaw to enable greater flexibility in providing childcare at this location.

**An alternative suggestion would be to amend the language to include childcare as one of the required use options (i.e. “available for use as a Child Care Facility, Café, Restaurant, or Neighbourhood Public House”). This would retain the general requirement for at least one “active/vibrant” retail use (such as a café, restaurant, or pub) as a default, while allowing flexibility to replace this with a use of potentially greater social benefit—expanded childcare—should the opportunity present itself.**

### **Policy Context**

The proposal to allow a Child Care Facility at the site is supported by the RMOW Official Community Plan (OCP); specifically, by Section 8.9, as follows:

#### **Section 8.9 - Support a variety of childcare opportunities for Whistler's children.**

- **8.9.1.1** - Encourage the availability of licenced childcare facilities, including facilities providing infant care; and
- **8.9.1.5** - Encourage new development and redevelopment to provide appropriately scaled space that may be leased at affordable rates to licenced childcare operators.

The proposal is further supported by the Whistler2020 Comprehensive Sustainability Plan. This plan addresses climate change and prioritizes sustainability, indicating that a key responsibility of the RMOW is to ensure that the built environment is vibrant and contributes to individual health and wellbeing. The Built Environment Strategy focuses on developing and renewing buildings, neighbourhoods and facilities that contribute to a more unique, liveable, and sustainable resort community. The creation of new Child Care Facilities will support the RMOW's objectives for supporting the families that live, work and play in Whistler while encouraging opportunities for future growth.

### **Parking & Loading Considerations**

Parking requirements for Child Care are not specified in the Zoning and Parking Bylaw. Pooni Group has assumed a requirement of 4 stalls per 100 sq m Gross Floor Area, in accordance with the requirements for similar uses such as retail. In the CD1 zone, parking requirements apply as if the uses were in the CC1 zone, per the Parking and Loading requirements of the CD1 zone. **Pooni Group has calculated that 79 parking stalls are required for the site, regardless of whether childcare or a retail use is located in Unit 109 and/or 110. The site currently features 80 parking spaces; therefore, parking requirements would be met under the proposed new use.**



Currently the site features one loading bay for the grocery store as well as two loading spaces in front of the liquor store. Pooni Group has calculated a requirement of two loading spaces for the site, leaving a surplus of one space. There is no change to the anticipated loading requirement with or without the childcare use. A breakdown of parking and loading calculations is provided in **Table 2**, below.

**Table 2. Parking and Loading Requirements**

Use	Area (sq m)	Parking Ratio	Parking Requirement	Loading Ratio	Loading Requirement
Grocery	1415.2	4 spaces per 100 sq m GFA*	56.6	1 space per 1,400 sq m GFA	1.01
Liquor	120.5	4 spaces per 100 sq m GFA*	4.82	1 space per 1,400 sq m GFA	0.086
Dentist	159.28	4 spaces per 100 sq m GFA	6.37	1 space per 3,000 sq m GFA	0.053
Childcare (proposed)	170	4 spaces per 100 sq m GFA**	6.8	1 space per 1,400 sq m GFA**	0.12
Café or future childcare	87.4	4 spaces per 100 sq m GFA*	3.5	1 space per 1,400 sq m GFA**	0.062
<b>Total Requirements</b>	<b>1,952</b>	<b>4 spaces per 100 sq m GFA</b>	<b>78.1 (round up to 79)</b>		<b>1.33 (round up 2)</b>
<b>Total existing count</b>	<b>1,952</b>		<b>80 stalls</b>		<b>3</b>
<b>Surplus</b>			<b>1 stall</b>		<b>1 space</b>

\*In the CD1 zone, applicable parking requirements apply as if the uses were in the CC1 zone, per CD1 zone Section 15 Off-Street Parking and Loading requirements.

\*\*Parking requirements for Child Care are not listed in the Bylaw. Retail requirements have been applied.

### **Attachments**

1. Revised Rezoning Submission (February 10, 2020)
2. RMOW Proposed Zoning Bylaw Amendments (September 14, 2020)
3. Partial Site Plan
4. Floor Plan (Unit 109)
5. Playground Sharing Plan

OCCUPANT LOAD CALCUATION: TOTAL TENANT AREA: 1,668 S.F. (154.9 m2)

INFANT/TODDLER –653 TOTAL SQ. FT./60.6 SQ. M.

OPEN AREA: 480 S.F. (44.6 m2 )/ 3.7 = 12  
1 STAFF FOR EVERY 4 KIDS 3  
OCCUPANT LOAD: 15

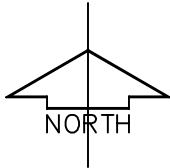
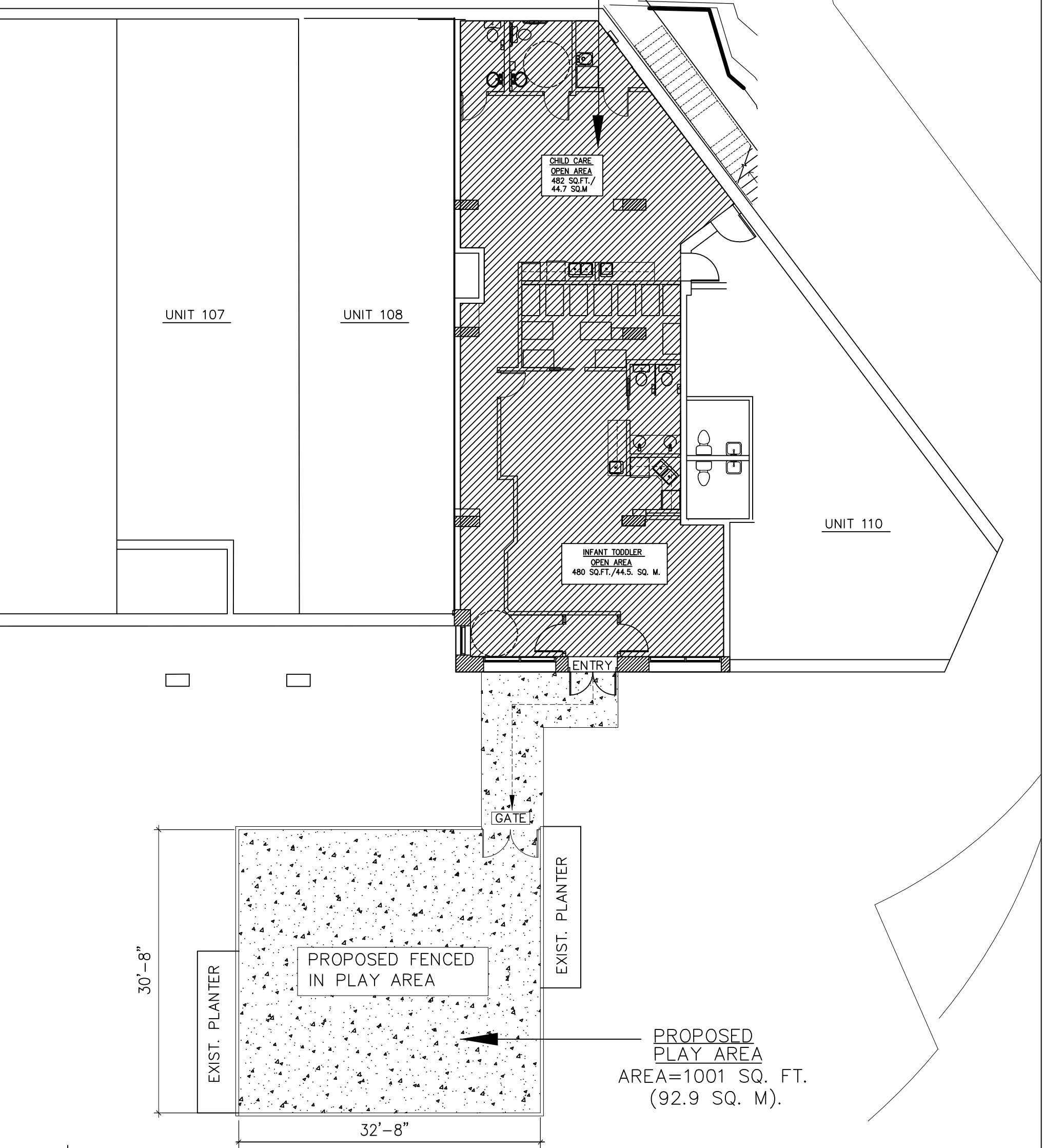
CHILDCARE – 734 TOTAL SQ. FT./68.1 SQ. M.

OPEN AREA: 480 S.F. (44.6 m2 )/ 3.7 = 12  
1 STAFF FOR EVERY 8 KIDS 2  
OCCUPANT LOAD: 14

TOTAL OCCUPANT LOAD:

INFANT TODDLER 15  
CHILDCARE 14  
TOTAL: 29

PROPOSED SITE  
UNIT 109  
AREA=1838 SQ. FT.  
(170.82 SQ. M).

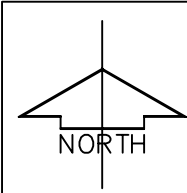


PLAN: PARTIAL SITE PLAN

SCALE: N.T.S.

REV'N	DATE	DR'N	CK'D	ISSUE	DATE	BY	ISSUED FOR

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CLIENT:	1262383 BC 2115 164 A STREET SURREY, BC V3Z 0V5	DESIGN:	FMR
PROJECT:	RAINBOW DAYCARE WHISTLER 8200 BEAR PAW TRAIL UNIT 109 WHISTLER, BC.	DRAWN:	FMR
SHEET CONTENT:	PARTIAL SITE PLAN	DATE:	02.12.25
		SCALE :	AS NOTED

barnett dembek

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CLIENT NO.

PROJECT NO.

SHEET NO  
S-1

REV. NO.

## APPENDIX "D"

### REZONING CRITERIA EVALUATION SUMMARY

The following provides a summary of the evaluation of the proposed rezoning against the rezoning evaluation criteria contained in Policy 4.1.6.4 of the Official Community Plan.

- (a) the project must be capable of being served by municipal water, sewer and fire protection services, or by an alternate means satisfactory to the municipality;
  - The subject parcel is an already constructed and serviced development. The development is served by municipal water, sewer and fire protection services. The proposed zoning amendment is not expected to increase the demand on the abovementioned services. Covenants for Fire Protection and Water Volume exist on Title for the site.
- (b) the project must be accessible via the local road system, or by an alternate means satisfactory to the municipality;
  - The subject parcel is an already constructed and serviced development. The site can be accessed from Bear Paw Trail, and includes pedestrian linkages to Crazy Canuck Drive.
- (c) the project must comply with all applicable policies of the OCP; and
  - The proposed zoning amendment complies with all applicable policies of the OCP including the Whistler Land Use Map, and Commercial and Light Industrial policies.
  - The policies contained in Chapter 5 Land Use and Development, Commercial and Light Industrial, provide further guidance for this designation and the development of these lands. The overarching goal, Goal 5.6, is to:
    - *Maintain a hierarchy of complementary commercial and light industrial centres each positioned with its own distinct role, character and mix of uses tailored to reinforce Whistler's mountain resort community character, meet the needs of the community and support the local tourism economy.*

The proposed Bylaw seeks to allow a greater flexibility in permitted uses to meet the needs of the neighbourhood and local community. The proposed Bylaw also seeks to limit the density of uses to ensure that a suitable GFA remains available for the non-grocery CRU's at the site to ensure a variety of services and uses available to the local public. Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020 is consistent with Goal 5.6.

- The proposed zoning amendment is consistent with the policies of the Official Community Plan (OCP), including the following:
  - **Policy 5.6.8.2.**  
*Recognize Nesters Square and Rainbow as locations for expanded convenience commercial developments scaled to serve a larger market area beyond the immediate neighbourhood*
  - **Policy 5.6.8.4.**  
*Ensure that all convenience commercial developments are designed to complement the surrounding neighbourhood and reinforce the resort community character, including considerations related to pedestrian connections, traffic, access and parking, and scale and massing of development.*
  - **Policy 6.7.1.1**

*Support repurposing, reusing and optimizing built space instead of constructing new buildings.*

- **Policy 8.9.1.1.**  
*Encourage the availability of licensed childcare facilities, including facilities providing infant care.*
- **Policy 8.9.1.5.**  
*Encourage new development and redevelopment to provide appropriately scaled space that may be leased at affordable rates to licensed childcare operators.*
- **Policy 11.2.1.4**  
*Strive to include commercial services when planning residential developments to increase walkability and reduce the need to travel by automobile.*

(d) all proposed developments and changes in land use must be evaluated to the satisfaction of the municipality to assess impacts on:

- i. balanced resort and community capacity;

The proposal allows a broader range of commercial uses to operate from the site, providing increased services to the Rainbow neighbourhood and surrounding areas. The proposal does not increase the commercial gross floor area available in the CD1 Zone, or increase the residential density of the site.

- ii. overall patterns of development of the community and resort;

The proposal allows additional commercial uses to operate in an existing building, and does not impact the overall structure of the Rainbow neighbourhood.

- iii. the character of Whistler's forested mountain environment, including preservation of green buffers, views, scenery and distinctive natural features;

The proposal will not increase the development footprint at the site, and will not impact the existing views and natural features. The development does not detract from Whistler's forested mountain environment.

- iv. Whistler's sensitive ecosystems and biodiversity;

The proposal will not increase the development footprint at the site, and will not impact the ecosystems and biodiversity of the area.

- v. scale, character and quality of development;

The scale and character of the development is not changed by the proposed zoning amendment. No additional gross floor area is provided by the proposed zoning amendment. The character and quality of future development is subject to Municipal Development Permit requirements for the form and character of development, and review by the Municipal Advisory Design Panel.

- vi. compatibility with the surrounding area or neighbourhood;

The proposed zoning amendment seeks to increase the variety of commercial uses available to 8200 Bear Paw Trail, and allow a Child Care Facility to operate from the site. The increased range of commercial uses provide a service to the surrounding residents. There is significant demand for a Child Care Facility in the area, and the proposed zoning amendment would assist to meet this demand.

Furthermore, the proposed zoning amendment includes provisions to preserve the use of at least one CRU for a food and beverage type use, as this is deemed an important service and provides activation to the centre.

vii. quality of life of Whistler's residents;

The proposed zoning amendment allows a greater variety of commercial uses in the Rainbow neighbourhood, to ensure that residents are able to access the services that they require. There is significant demand for a Child Care Facility in the area, and the proposed zoning amendment would assist to meet this demand, providing a vital service for residents in the area.

viii. quality of experience for Whistler's visitors;

The proposed zoning amendment does not increase the commercial gross floor area available to the site, and is not considered to attract visitor oriented uses away from the primary commercial and visitor centres in Whistler (Whistler Village and Creekside).

ix. geotechnical, flood and wildfire hazard;

Geotechnical engineering assessments have been previously completed during the initial development of the site. Covenants for Geotechnical Monitoring, Fire Protection and Water Volume exist on Title for the site. The lands are located within an area designated as a Development Permit Area for Wildfire Protection. Future developments will require assessment against the applicable guidelines.

x. archaeological, heritage and cultural resources;

The subject parcel is an already constructed development. No archaeological, heritage and cultural sites of interest were identified.

xi. traffic congestion and safety, including traffic volumes and patterns on Highway 99 and the local road system;

The subject parcel is an already constructed and serviced development. No new roads or changes to the existing road network are proposed.

The increased potential for neighbourhood servicing convenience retail and services may reduce traffic volumes on Highway 99 and the local road system as the residents of the Rainbow neighbourhood will be able to access these services in the local area. The existing development contains a suitable number of parking spaces to accommodate the proposal, and is well connected to the surrounding area with pedestrian linkages. Furthermore, additional public on-street parking is available along the Bear Paw Trail frontage of the site, and a bus stop is located adjacent to the site.

The proposed zoning amendment will not increase the potential density of the site and is not expected to have any significant impact on traffic congestion and safety.

xii. local economy;

The proposed rezoning will enable a greater variety of commercial uses in the Rainbow neighbourhood, to ensure that residents are able to access the services that they require. This will assist the owner of the CRUs at Rainbow Plaza to fill all commercial tenancies at the site and support the local economy.

xiii. municipal finance;

Considerations related to municipal finance are addressed in the Budget Considerations section of the report.

xiv. social, health, recreation, education and emergency facilities and services;

The proposed rezoning will facilitate the operation of a proposed Child Care Facility at the site, and will ensure that the existing health operator at the site remains a permitted use in the zone. The recreation areas in the Rainbow neighbourhood are not impacted by the proposal.

xv. employee housing; and

The subject parcel is an already constructed development which contains employee housing. The proposed zoning amendment does not impact the amount of employee housing required at the site, but will allow a broader range of services to support residents.

xvi. community energy and GHG emissions, water supply and conservation and solid waste.

The subject parcel is an already constructed and serviced development. The proposed zoning amendment will not increase the potential density of the site. The existing development was built to meet the applicable energy requirements at the time of construction, and includes spaces for solid waste and recycling.



# **RZ001164**

## **8200 Bear Paw Trail**

### **Rainbow Plaza Rezoning**

**Council Presentation**  
**February 16, 2021**

**RESORT MUNICIPALITY OF WHISTLER**

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Whistler, BC Canada V8E 0X5

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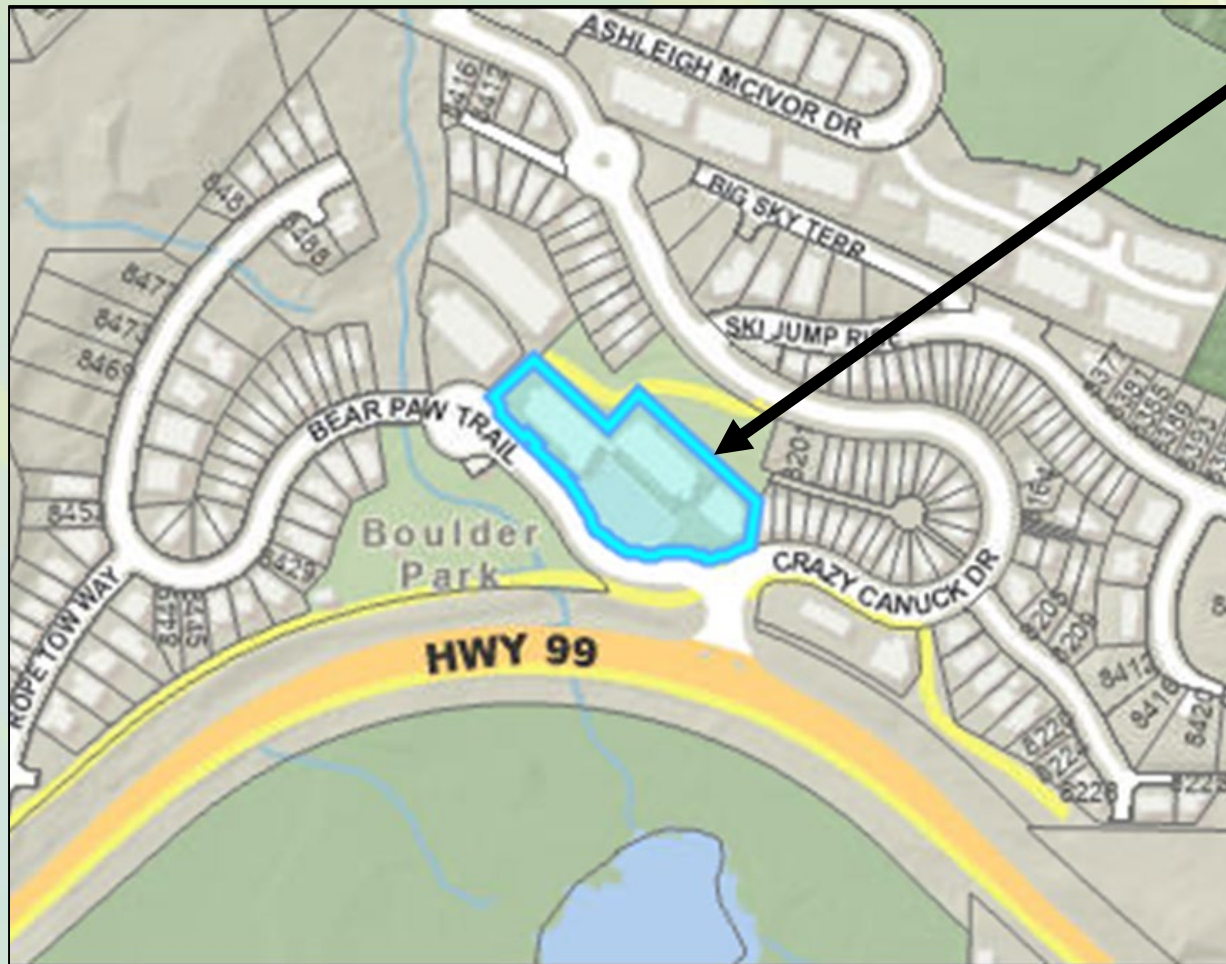
**TF** 1 866 932 5535

**FAX** 604 935 8109

# Purpose

- To present “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020” for first and second readings.
  - The Proposed Bylaw:
    - will amend regulations applicable to the CD1 Zone specific to 8200 Bear Paw Trail (Rainbow Plaza) to **permit a Child Care Facility and allow a broader range of neighbourhood serving commercial uses**
    - will not increase the overall density.
- To request that Council authorize staff to schedule a Public Hearing for the proposed Bylaw.

# Site Context: Neighbourhood



## Subject Property

- Rainbow Plaza (Parcel Lot 9)
- 8200 Bear Paw Trail, in the Rainbow Neighbourhood
- CD1 Zone
- Mixed use commercial and residential development.



# Commercial Site Plan



# Proposed Rezoning

- Applicant requests amendments to the CD1 Zone to improve the viability of the commercial tenancies at Rainbow Plaza:
  - ✓ The applicant cites that the current regulations are too restrictive, hindering the ability of businesses to locate in the area, which limits local neighbourhood residents' access to everyday services within a walkable distance of their homes.



# Zoning Amendment Bylaw No. 2297, 2020

- Replace 'Local Service Commercial' with 'Retail' as a permitted use in the CD1 Zone.
  - ✓ allows a wider range of commercial offerings in line with other neighbourhood commercial areas in Whistler
  - ✓ all specific uses listed under 'Local Service Commercial' are permitted under the 'Retail' definition
- Remove 'Office', replace 'Local Personal Service' with 'Personal Service' as a permitted use in the CD1 Zone.
  - ✓ allows a wider range of commercial offerings in line with other neighbourhood commercial areas in Whistler
  - ✓ all specific uses listed under 'Local Personal Service' are permitted under the 'Personal Service' definition
  - ✓ 'Office' is currently permitted in the CD1 Zone if less than 100m<sup>2</sup> and used as a health practitioner's office.
  - ✓ 'Personal Service' allows for medical, dental, and insurance company types of service office uses



# Zoning Amendment Bylaw No. 2297, 2020

- Increase the maximum gross floor area (GFA) from 1,900 square metres to 2,000 square metres for commercial uses in Parcel Lot 9.
  - ✓ This does not increase overall commercial GFA permitted in the CD1 Zone, but consolidates the 100 square meters of permitted office into the associated commercial uses

# Zoning Amendment Bylaw No. 2297, 2020

- Add a subsection to require that:

*“Excluding the grocery store, the remaining commercial floor area of Parcel Lot 9 must be demised into at least 3 Commercial Retail Units (CRUs), the combined area of which must be at least 450 square metres, and with a minimum of 85 square metres Gross Floor Area in use as or available for use as a Café, Restaurant, or Neighborhood Public House.”*

  - ✓ ensures at least 3 CRU’s for a variety of non-grocery uses to serve the local public, in addition to the grocery store
  - ✓ retains at least one CRU for a food and beverage type use which provides an important service to the neighbourhood and provides activation



# Zoning Amendment Bylaw No. 2297, 2020

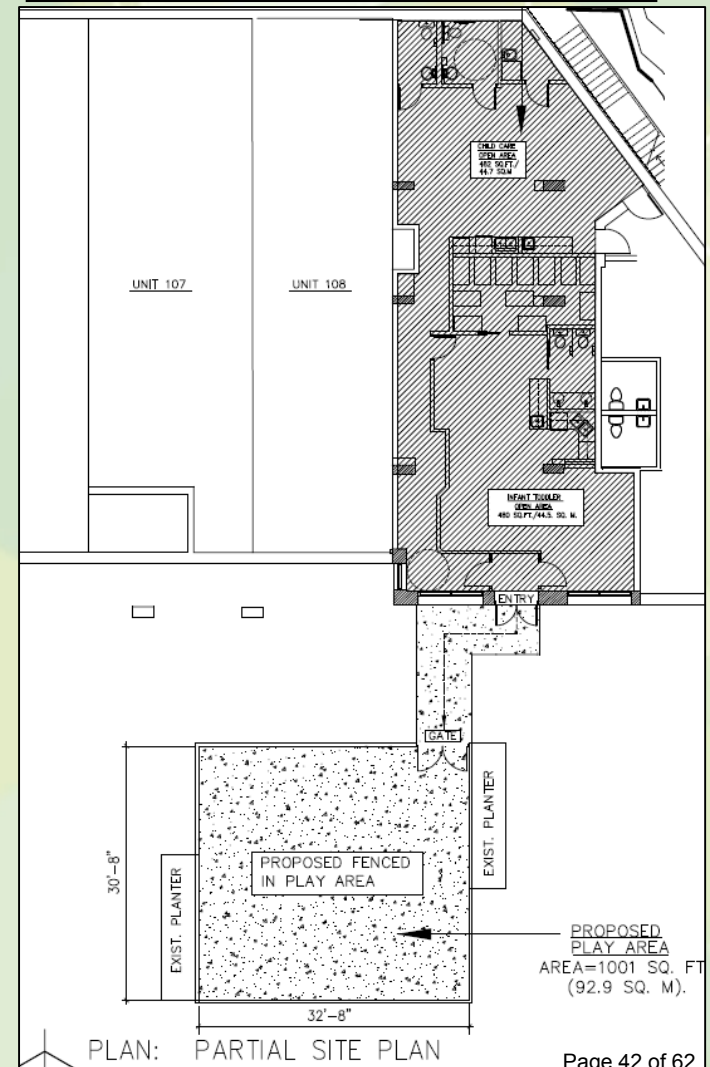
- Amend Schedule M of Zoning and Parking Bylaw 303, 2015 to add “Child Care Facility” as a Permitted Land Use for Parcel Lot 9 in the Land Use Plan and Table
  - ✓ will allow a potential operator to establish a Child Care Facility.



# Proposed Child Care Facility

- Applicant has identified that the vacant CRU could accommodate 24 children and 5 staff, while meeting occupant load requirements under the *BC Child Care Licensing Regulation*.
- Proposed outdoor area would enclose and utilise the existing outdoor community space (92.9m<sup>2</sup>) to accommodate 15 children at a time (6m<sup>2</sup>/child).
- Outdoor area can be used on a rotating schedule to accommodate different groups through the day.

Draft Child Care Facility Site Plan



# Proposed Child Care Facility

- Proposed outdoor play area makes use of a currently underutilized outdoor space.
- Child Care Facility use is compatible with the adjacent uses including the café, and will further activate the site.
- 24 additional Child Care Spaces at Rainbow Plaza directly supports the targets of the *Whistler Child Care Planning Project* to increase the access rate from 14.3 to 17 spaces per 100 children by 2025.
- Given the creation and buildout of the Rainbow employee housing neighbourhood, and lack of Child Care Facilities in the northern part of Whistler, staff support the proposal to permit a Child Care Facility.

# Official Community Plan - Bylaw No 2199, 2018

- The subject lands are designated as Convenience Commercial in Schedule A of the Official Community Plan (OCP).
- The proposed rezoning is consistent with the policies and rezoning criteria of the OCP.
- Any future development of the site is subject to Development Permit approval requirements and consistency with guidelines for the following OCP Development Permit Area designations:
  - Commercial Industrial - Form and Character
  - Multi-family Residential - Form and Character
  - Wildfire Protection



# Other Policy Considerations

## Parking and Loading

- The Proposed Bylaw does not increase the overall density, and would not result in requirement for additional parking stalls to be provided at 8200 Bear Paw Trail.
- Additional public on-street parking is also available along the Bear Paw Trail frontage of the site, and a bus stop is located adjacent to the site.

# Community Engagement and Consultation

- A development sign describing RZ001164 is posted on the property.
- Three (3) letter of support for the proposed Child Care Facility use have been provided to staff.
- The Proposed Bylaw is subject to Public Hearing requirements.
  - Staff will carry out the Public Hearing and associated notifications should Council authorize staff to schedule the Public Hearing.

# Benefits

- Staff support the Proposed Bylaw, and note the following benefits to the site and surrounding neighbourhood:
  - Increases the variety of uses available to service the neighbourhood;
  - Allows the operation of child care facility, which is sought after in the area;
  - Encourages complementary uses at the site;
  - Ensures variety of businesses operate from the site; and
  - Retains the important food and beverage service use at the site.
- Staff feel this is a balanced and optimal approach to support a growing and vibrant neighbourhood meeting the objectives of the OCP and overall excellent planning principles.

# Recommendation

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”; and

**That** Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”.



CARRIED

## 7. ADMINISTRATIVE REPORTS

### 7.1 DVP01203 - 9595 Emerald Place - Side Yard Setback Variance No. 21-016 File No. DVP01203

Moved By Councillor D. Jackson

Seconded By Councillor C. Jewett

**That** Council approve the issuance of Development Variance Permit DVP01203 for the development located at 9595 Emerald Place to:

1. Vary the north side setback from 3.0 metres to 2.44 metres for roof support posts;
2. Vary the north side setback from 3.0 metres to 1.73 metres for roof overhang;
3. Vary the north side setback from 3.0 metres to 2.72 metres for stair slab; and
4. Vary the north side setback from 3.0 metres to 2.44 metres for deck footing.

All as illustrated on the Survey Plan 2113-03955-00-V-01-R2, prepared by McElhanney Associates Land Surveying Ltd. dated June 16, 2020, attached as Appendix "B" to Administrative Report to Council No. 21-015.

CARRIED

### 7.2 Public Hearing Summary And Third Reading For Zoning Amendment Bylaw (Retaining Walls) NO. 2033, 2020 No. 21-017 File No. RZ001065

*A presentation by Planning Analyst, L. Clarke.*

Moved By Councillor D. Jackson

Seconded By Councillor C. Jewett

**That** Council consider giving third reading to "Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020".

CARRIED

### 7.3 RZ1164 – 8200 Bear Paw Trail – Rainbow Plaza Rezoning No. 21-018 File No. RZ1164

*A presentation by Planning Analyst, C. Sloan.*

Moved By Councillor R. Forsyth

Seconded By Councillor J. Ford

**That** Council consider giving first and second readings to "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020"; and further

**That** Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020”.

CARRIED

**7.4 RZ1165 - Cheakamus Crossing Phase 2 - Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 Parcelization) No. 2298, 2020 Summary Report of Public Hearing and Third Reading Consideration No. 21-019 File No. RZ1165**

*A presentation by Planner, J. Chapman.*

Moved By Councillor J. Ford

Seconded By Councillor C. Jewett

**That** Council consider giving third reading to “RZ1165 – Cheakamus Crossing Phase 2 – Zoning Amendment Bylaw (Cheakamus Crossing Phase 2 Parcelization) No. 2298, 2020”.

CARRIED

**7.5 COVID-19 Resilience Infrastructure Stream - Wildfire Funding Application (Nesters Hill) No. 21-020 File No. 8337**

*A presentation by Manager, Environmental Stewardship, H. Beresford.*

Moved By Councillor D. Jackson

Seconded By Councillor A. De Jong

**That** Council support the application for grant funding application for the Nesters Hill wildfire fuel reduction project through the Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream; and

**That** Council support the project and commit to fund any associated ineligible costs and cost overruns through the 2021 wildfire program budget.

CARRIED

**8. BYLAWS FOR FIRST AND SECOND READINGS**

**8.1 Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020**

Moved By Councillor J. Ford

Seconded By Councillor C. Jewett

**That** "Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297, 2020" be given first and second readings.

CARRIED

**TITLE SEARCH PRINT**

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

VANCOUVER

VANCOUVER

**Title Number**

From Title Number

CA1643420

CA1586537

**Application Received**

2010-07-06

**Application Entered**

2010-07-08

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

RAINBOW CANUCK PROPERTIES LTD., INC.NO. A79876  
SUITE 250, 5920 - 1A STREET S.W.  
CALGARY, AB  
T2H 0G3**Taxation Authority**

Whistler, Resort Municipality of

**Description of Land**

Parcel Identifier:

027-688-062

Legal Description:

LOT 9 DISTRICT LOT 7302 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP38413

**Legal Notations**HERETO IS ANNEXED EASEMENT BB1012901 OVER PART (PLAN BCP38418) OF  
LOT 12 PLAN BCP38413HOUSING AGREEMENT NOTICE, LOCAL GOVERNMENT ACT. SECTION 905  
SEE BB1012983HERETO IS ANNEXED EASEMENT BB1013009 OVER PART (PLAN BCP38427) OF  
LOT 11 PLAN BCP38413THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL  
GOVERNMENT ACT, SEE BB1131163NOTICE OF INTEREST, BUILDERS LIEN ACT (S.3(2)), SEE BB340560  
FILED 2009-12-18

## TITLE SEARCH PRINT

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE BB4067722

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA5568341

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA5842818

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA6137380

SUBJECT TO PROVISOS, SEE CROWN GRANT E74711

### Charges, Liens and Interests

Nature:	COVENANT
Registration Number:	BB432466
Registration Date and Time:	2007-07-30 11:50
Registered Owner:	RESORT MUNICIPALITY OF WHISTLER
Remarks:	INTER ALIA MODIFIED BY BB1012856

<b>Cancelled By:</b>	<b>CA3257756</b>
<b>Cancelled Date:</b>	<b>2013-07-26</b>

Nature:	MODIFICATION
Registration Number:	BB1012856
Registration Date and Time:	2008-10-02 12:22
Remarks:	INTER ALIA MODIFICATION OF BB432466

<b>Cancelled By:</b>	<b>CA3257756</b>
<b>Cancelled Date:</b>	<b>2013-07-26</b>

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	BB1012874
Registration Date and Time:	2008-10-02 12:23
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks:	INTER ALIA

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	BB1012875
Registration Date and Time:	2008-10-02 12:23
Registered Owner:	TELUS COMMUNICATIONS INC.
Remarks:	INTER ALIA

**TITLE SEARCH PRINT**

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

Nature: STATUTORY RIGHT OF WAY  
Registration Number: BB1012878  
Registration Date and Time: 2008-10-02 12:23  
Registered Owner: SHAW CABLESYSTEMS LIMITED  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: BB1012880  
Registration Date and Time: 2008-10-02 12:23  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: BB1012890  
Registration Date and Time: 2008-10-02 12:24  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA  
**Cancelled By: CA3257757**  
**Cancelled Date: 2013-07-26**

Nature: COVENANT  
Registration Number: BB1012892  
Registration Date and Time: 2008-10-02 12:25  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: BB1012894  
Registration Date and Time: 2008-10-02 12:25  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: BB1012905  
Registration Date and Time: 2008-10-02 12:27  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA  
**Cancelled By: CA3257758**  
**Cancelled Date: 2013-07-26**

Nature: COVENANT  
Registration Number: BB1012907  
Registration Date and Time: 2008-10-02 12:27  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA

**TITLE SEARCH PRINT**

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

Nature: COVENANT  
Registration Number: BB1012909  
Registration Date and Time: 2008-10-02 12:27  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY  
Registration Number: BB1012979  
Registration Date and Time: 2008-10-02 12:36  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER

Nature: STATUTORY RIGHT OF WAY  
Registration Number: BB1012981  
Registration Date and Time: 2008-10-02 12:36  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER

Nature: COVENANT  
Registration Number: BB1012984  
Registration Date and Time: 2008-10-02 12:37  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER  
Remarks: MODIFIED BY BB789826

Nature: MODIFICATION  
Registration Number: BB789826  
Registration Date and Time: 2009-07-03 14:15  
Remarks: MODIFICATION OF BB1012984

Nature: OPTION TO PURCHASE  
Registration Number: CA1643423  
Registration Date and Time: 2010-07-06 11:01  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER

Nature: RIGHT OF FIRST REFUSAL  
Registration Number: CA1643424  
Registration Date and Time: 2010-07-06 11:01  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER

Nature: MORTGAGE  
Registration Number: CA1648014  
Registration Date and Time: 2010-07-08 15:56  
Registered Owner: ALBERTA TREASURY BRANCHES  
Remarks: INTER ALIA  
MODIFIED BY CA3582234  
MODIFIED BY CA3867882  
MODIFIED BY CA5713220

**TITLE SEARCH PRINT**

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

Nature: ASSIGNMENT OF RENTS  
Registration Number: CA1648015  
Registration Date and Time: 2010-07-08 15:56  
Registered Owner: ALBERTA TREASURY BRANCHES  
Remarks: INTER ALIA  
MODIFIED BY CA3582235  
MODIFIED BY CA3867883  
MODIFIED BY CA5713221

Nature: MODIFICATION  
Registration Number: CA3582234  
Registration Date and Time: 2014-02-06 10:19  
Remarks: INTER ALIA  
MODIFICATION OF CA1648014

Nature: MODIFICATION  
Registration Number: CA3582235  
Registration Date and Time: 2014-02-06 10:19  
Remarks: INTER ALIA  
MODIFICATION OF CA1648015

Nature: COVENANT  
Registration Number: CA3689857  
Registration Date and Time: 2014-04-24 10:54  
Registered Owner: RESORT MUNICIPALITY OF WHISTLER

Nature: PRIORITY AGREEMENT  
Registration Number: CA3689858  
Registration Date and Time: 2014-04-24 10:54  
Remarks: GRANTING CA3689857 PRIORITY OVER CA1648014,  
CA3582234, CA3582235 AND CA1648015

Nature: MODIFICATION  
Registration Number: CA3867882  
Registration Date and Time: 2014-07-29 09:42  
Remarks: INTER ALIA  
MODIFICATION OF CA1648014

Nature: MODIFICATION  
Registration Number: CA3867883  
Registration Date and Time: 2014-07-29 09:42  
Remarks: INTER ALIA  
MODIFICATION OF CA1648015

**TITLE SEARCH PRINT**

File Reference: RZ1164

2020-01-28, 14:42:37

Requestor: Denise Taveira

Nature: CLAIM OF BUILDERS LIEN  
Registration Number: BB3039904  
Registration Date and Time: 2016-05-11 14:21  
Registered Owner: WHISTLER WELDING SERVICES LTD.  
**Cancelled By: CA5584456**  
**Cancelled Date: 2016-10-19**

Nature: MODIFICATION  
Registration Number: CA5713220  
Registration Date and Time: 2016-12-14 12:42  
Remarks: INTER ALIA  
MODIFICATION OF CA1648014

Nature: MODIFICATION  
Registration Number: CA5713221  
Registration Date and Time: 2016-12-14 12:42  
Remarks: INTER ALIA  
MODIFICATION OF CA1648015

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

**Corrections** NONE



# Carla Areny



January 19, 2021

To whom it might concern,

My name is Carla Areny. I live in the unit A407-8200 Bear Paw Trail in the Rainbow Plaza building. We are a family with a little one who is 16 months old.

I am writing this letter in support of the initiative to open a daycare in Rainbow Plaza. Daycare in Whistler is a big challenge for most of the working families. There are very limited spaces for the big existing demand.

In our building there are many families experiencing difficulties to go back to work as they don't have anywhere to leave the kids or finding financially impossible to hire a nanny. We have even seen some families from the neighborhood that had to move somewhere else do to the impossibility of finding daycare for their kids.

Rainbow is a neighbourhood where a lot of young families with kids live. It is also close to Alpine and Emerald which that makes it the perfect mid way location for all the families located North of town and it can be a big time saving for the families that have to drive south to the Cheakamus' daycare.

Having a daycare in Rainbow Plaza would be the greatest addition to this neighbourhood. Would bring the community even closer together and would mean so much for all the young working families that are trying to make this place home.

Thank you for considering and I hope we could make it happen.

Kind Regards,

Carla Areny

**January 19th, 2021.**

To whom it may concern:

We are a young working family living in Rainbow, our daughter is 14 months old.

A lot of families living in Rainbow as well as in other areas of Whistler seem to have the same problem. After maternity leave, both parents have to go back to work and don't have any daycare options available for the upcoming year or more.

In our case, we signed our daughter up in all daycares in Whistler on her first week of life. We hoped that when I had to come to work we were going to be called by some of them. But the reality is that both my husband and I are already back to work, our daughter is 14 months old, and we are still waiting for a place for her. Meanwhile, we try to "survive" with a nanny.

Having a daycare here in Rainbow would make our lives easier and less stressful, without thinking if the nanny is going to show up or not, or if she is gonna leave Whistler. It would also guarantee that our daughter is in professional hands. Furthermore, it would make the neighborhood become more a community, as most of the families and kids would know each other. I think it would make Rainbow become like a little town.

A daycare in Rainbow would also save time on the road for all the families living in the north.

To summarize, the need of a new daycare is a reality and Rainbow is a great location to give the same opportunities to all Whistler families. A new daycare in Rainbow would bring more quality of life to all families in Whistler.

Thank you for your time reading my letter. If you need to contact me, see my details below

Kind Regards,

Patricia Subias and Pablo Urrea  
**A404-Bear Paw Trail, Whistler, BC, V8E 1M2**



Flory Galigao  
Tim Dimaala  
Attiya Dimaala (2 +year old)  
B407-8200 Bear Paw trail  
Rainbow Plaza  
[REDACTED]

To whom it may concern;

We have learned that there is an ongoing proposal to open a daycare in a vacant building here at Rainbow Plaza.

We strongly support this proposal. We believe it will be very beneficial for our family.

For the following reasons;

- \*To improve our child's emotional and cognitive development.
- \*To help us working parents to build better future for our family by being financially stable.
- \*To let them play, explore things, and interact with other kids.
- \*To have a positive attitude with peers.
- \*To enjoy things with no limitations.
- \*To bring back their routine.
- \*To prepare them for kindergarten and so on.

It has been very stressful year and a challenging time to raise a child. Let's give them a fun world. From our family, we are giving our full support to this proposal.

Thank you,  
Flory Galigao

## Marius Mikle

---

**From:** Rod Nadeau [REDACTED]  
**Sent:** Monday, March 8, 2021 9:32 AM  
**To:** corporate  
**Subject:** RZ001164 8200 Bear Paw Trail

RE RZ1164

I am in favour of this rezoning. I think a daycare is a good use in this space. Expanded uses for the commercial is a good thing. I believe more uses are better for any commercial space to allow it to change over time as the neighborhood commercial uses change.

Rod Nadeau  
306-8300 Bear Paw Trail  
Whistler BC.

March 7, 2021

Resort Municipality of Whistler  
Legislative Services Department  
4325 Blackcomb Way  
Whistler, BC, V8E0X5

**RE: RZ001164 – Zoning Amendment Bylaw (8200 Bear Paw Trail)**

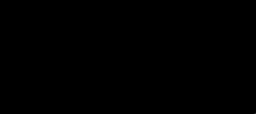
---

Dear Mayor and Council,

I am writing this letter to show my support for the proposed Daycare at Rainbow Plaza (8200 Bear Paw Trail). As a local with young children, I can attest to the need for more childcare options in Whistler, especially at the North end of town.

A daycare at Rainbow Plaza would directly support the Whistler Child Care Planning Project and further support the housing authority's initiative to keep Whistler employees in the community in which they work.

Sincerely



Spencer Charlton  
8060 Nesters Road,  
Whistler, B.C.  
V8E 0G4

## Marius Miklea

---

**From:** Theron Jordan [REDACTED]  
**Sent:** Monday, March 8, 2021 10:04 AM  
**To:** corporate  
**Subject:** Zoning Amendment Bylaw (8200 Bear Paw Trail) No. 2297,2020

Dear Mayor and Council,

With respect to the proposed Zoning Amendment Bylaw at 8200 Bear Paw Trail, I am confident the landlord will be enthusiastic about finally leasing unit # C-109 for a daycare facility , after having the space sit empty for many years.

With respect to "*a minimum of 85 square meters of gross floor area must be in use as or available for use as a cafe, restaurant, or neighbourhood public house*", I am of similar opinion to [REDACTED] that this is an unwarranted stipulation that encumbers any possible future tenant - or expansion of prospective daycare tenant - and may indeed force a review by Mayor and Council at a future date.

I suggest the removal of the unnecessary Bylaw restriction.

Sincerely,  
Theron Jordan  
C303-8200 Bear Paw Trail  
Whistler, BC  
V8E 1M2