



WHISTLER

REPORT | ADMINISTRATIVE REPORT TO COUNCIL

PRESENTED: January 21, 2020

REPORT: 20-007

FROM: Resort Experience

FILE: RZ1162

SUBJECT: RZ1162 – 4800-4814 GLACIER LANE – RM13 ZONE AMENDMENTS FOR GLACIER 8 EMPLOYEE HOUSING – PUBLIC HEARING AND THIRD READING REPORT

COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

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

RECOMMENDATION

That Council consider giving third reading to “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019”.

REFERENCES

Location: 4802 – 4814 Glacier Lane
Legal Description: LMS 2986
Applicant: Vail Resorts
Current Zoning: RM13 Zone (Residential Multiple Thirteen)
Appendices: “A” – Public Hearing Minutes and submissions

PURPOSE OF REPORT

The purpose of this Report is to present “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019” to Council for consideration of third reading. The Report also provides a summary of written and verbal submissions made at the December 3, 2019 Public Hearing and staff’s review of these comments.

DISCUSSION

Background

On November 19, 2019 Council gave first and second readings to “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019” to amend the RM13 Zone to provide for the Glacier 8 employee housing project. Council also passed a resolution authorizing staff to schedule a public hearing for the proposed bylaw, and that established matters to be resolved to the satisfaction of the General Manager of Resort Experience prior to Council consideration of third reading, as well as matters to be resolved prior to Council consideration of adoption. The Council resolution and details of the proposed development are described in the November 19, 2019 Administrative Report to Council, Report 19-148.

The public hearing on the proposed bylaw was held on December 3, 2019. There was one written submission and two verbal submissions made by members of the public for the public hearing. Staff’s summary of the submissions that were made is presented below.

Staff have also worked with the applicant to address the matters specified to be resolved prior to third reading. These matters have now been resolved to the satisfaction of the General Manager of Resort Experience as described below.

Public Hearing Summary

The minutes of the public hearing, and the one piece of correspondence received, are presented in Appendix “A”.

The two verbal presentations, made by representatives of the applicant, spoke in support of the project and the benefit it will bring to Whistler Blackcomb and the community providing new employee housing beds.

The written submission spoke against the proposed rezoning, expressing that the development would result in additional traffic and congestion, negative impacts on the views and scenery for the neighbourhood and adjacent property owners, and environmental damage associated with removal of existing forest area and trees on the site.

The proposed development has been subject to review by the Advisory Design Panel (ADP), and has been reviewed for considerations related to impacts on views and scenery, and the removal of existing forest area. The location of the proposed development, the building design and tree preservation and landscape plan were supported by the ADP and by staff, and the supported plans are to be registered on title by development covenant as a condition of rezoning adoption.

Considerations related to parking and congestion are being addressed through the recommended contributions to additional transit service, car share vehicles and other measures outlined by the applicant in their October 2019 submission including a hiring practice which discourages bringing vehicles, gondola passes to access the Village, and provision of shuttle bus services to Squamish/Vancouver and the operation of a car ride share program. (See November 19, 2019 Council report).

Matters to be Resolved Prior to Third Reading

The matters to be resolved prior to Council consideration of third reading, to the satisfaction of the General Manager of Resort Experience, are listed as follows:

1. An agreement on rental rates;
2. Resolution of employee services space allocation;
3. Determination of appropriate transit service levels at peak and early morning hours;
4. Resolution of the number of car share vehicles

These items have been resolved as follows:

1. Agreement on rental rates

In announcing this project, the applicant indicated that rental rates would be no more than existing rates of \$400 per month per bed. The applicant subsequently proposed a significantly higher number of \$600 per month per bed (\$2,400 per 2 bedroom unit) to account for higher than expected construction costs for the project and expected seasonality of occupancies. The applicant submitted a development pro forma which was evaluated by Burgess, Cawley, Sullivan and Associates, Ltd., independent consultants engaged by the RMOW to provide advice on proposed rents and project feasibility for all private sector employee housing projects under consideration by the RMOW. Based on the evaluation provided, staff support a maximum monthly rent of \$1,900 per two bedroom unit proposed in the development. The applicant has now agreed to this maximum rent, which will be specified in the housing agreement to be registered on the title of the property.

2. Resolution of employee services space allocation

This item is effectively addressed by the zoning amendment bylaw that is before Council for third reading. Under the bylaw, the ground floor requires a minimum of 100 square metres of area for employee services and associated auxiliary uses, and permits no other uses, except for up to 2 respite units totaling up to 70 square metres, and 4 accessible units totaling up to 160 square

metres. The architectural drawings that are to be registered by development covenant, as a condition of zoning adoption, will be updated to reflect these zoning requirements.

3. Determination of appropriate transit service levels at peak and early morning hours

This condition was recommended in recognition that the proposed development would not meet the parking requirements under the municipality's zoning bylaw and resident employees would rely to a large extent on municipal transit service for their transportation needs to and from Whistler Village, their primary destination for work, entertainment and other activities. The estimated parking requirement associated with the proposed development is 66 parking spaces, whereas just 14 parking spaces are proposed.

Municipal staff have worked with BC Transit to complete an analysis of existing transit service serving the Glacier staff housing and have estimated incremental requirements expected to be associated with the Glacier 8 project. This analysis estimates an incremental service cost of approximately \$44,000 per year associated with regular service. This amount does not address "Free" night-time service, which has been provided for under annual agreement with Whistler Blackcomb and is recognized as a separate matter that will continue to be provided subject to annual funding arrangements.

The conditions of zoning adoption, approved by Council on November 19, 2019, required completion of a 25 year agreement for continued funding of additional transit service. For corporate business reasons the applicant has requested that an up-front cash payment be made, rather than committing to an annual payment of \$44,000 per year over the next 25 years. The proposed payment is \$1.04 million, which is supported by staff. This amount is the equivalent of the parking in lieu fee of \$20,000 per stall for 52 parking stalls. This contribution would be committed into a transit fund dedicated to providing the incremental service requirements for the Route 7 transit service.

4. Resolution of the number of car share vehicles

As demand for car share vehicles is uncertain, staff supports a minimum of 2 vehicles, with further requirements based on demand, by way of written agreement. It is expected that Vail Resorts would undertake and manage the car share program for its staff rather than relying on a third party operator.

WHISTLER 2020 ANALYSIS

The proposed zoning amendment supports Whistler 2020 Built Environment, Economic, Resident Housing and Transportation strategies as described in Administrative Report No. 19-109 to Council.

OTHER POLICY CONSIDERATIONS

Other policy considerations have been addressed in previous Council reports.

BUDGET CONSIDERATIONS

Budget considerations have been addressed in previous Council reports. This report addresses incremental impacts on transit services and recommends an annual contribution of \$44,000 from Vail Resorts for a 25 year period.

COMMUNITY ENGAGEMENT AND CONSULTATION

This Report provides a summary of the Public Hearing that was conducted on December 3, 2019. See above for this summary. No changes to the proposed zoning amendment bylaw are recommended as a result of the submissions made at the public hearing.

SUMMARY

This Report recommends that Council consider giving third reading to “Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019”.

Respectfully submitted,

Mike Kirkegaard
DIRECTOR OF PLANNING

for
Jan Jansen
GENERAL MANAGER OF RESORT EXPERIENCE

3. **ADOPTION OF MINUTES**

Moved By Councillor J. Ford

Seconded By Councillor J. Grills

That Council adopt the Regular Council Meeting Minutes of November 19, 2019.

CARRIED

4. **PRESENTATIONS AND DELEGATIONS**

4.1 **Employee Recognition Week Awards**

A presentation was given by Mayor Jack Crompton and Chief Administrative Officer Mike Furey regarding Employee Recognition.

5. **PUBLIC HEARING - ZONING AMENDMENT BYLAW (GLACIER 8 – RM13 ZONE) NO. 2250, 2019 - 6:00 p.m.**

Councillor A. De Jong declared a conflict on this item. (Perceived bias as Whistler Blackcomb is his employer.)

Councillor A. De Jong left the Meeting at 6:00 p.m.

5.1 **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 (Glacier 8 – RM13 Zone) No. 2250, 2019" (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.

5.2 **Purpose of "Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019"**

As stated in the Notice of Public Hearing, the purpose of the "Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019" is to modify the existing RM13 Zone to permit 66 additional dwelling units in a 6-storey building for employee housing and include additional floor area for employee service uses on the lands.

5.3 **Presentation**

A presentation was given by Acting Senior Planner R. Licko.

5.4 Submissions from the Public

Sarah McCullough, Director Community and Government Relations, Whistler Blackcomb, 6343 Easy Street

Ms. McCullough spoke in support of the bylaw, and acknowledged that Whistler Blackcomb recognises that there is still work ongoing with some of the outstanding items, and is committed to working with the RMOW to resolve these. She noted that Whistler Blackcomb is looking forward to bringing the project forward for approval to help fulfill the needs of the community and Whistler Blackcomb.

Nicole Baudisch, Senior Manager of Employee Services and Housing, Whistler Blackcomb, 109-2005 Nordic Place

Ms. Baudisch spoke in support of the bylaw. She noted that this project will give more than beds. She noted that since being announced, she has heard many comments from employees who are excited about this project. She noted that housing is an important part of achieving staffing levels, and for staff retention. Ms. Baudisch noted that the beds will not only benefit Whistler Blackcomb, but the 240 beds will be a win for the community businesses as the project will allow employees of other businesses to secure those places in the valley previously occupied by Whistler Blackcomb staff.

5.5 Correspondence

Municipal Clerk A. Banman indicated that one piece of correspondence was received in opposition to the proposed Bylaw.

5.6 Motion to Close the Public Hearing

Moved By Councillor R. Forsyth

Seconded By Councillor C. Jewett

That the Public Hearing for "Zoning Amendment Bylaw (Glacier 8 – RM13 Zone) No. 2250, 2019" be closed at 6:12 p.m.

CARRIED

6. PRESENTATIONS AND DELEGATIONS

6.1 Mature Action Community - UBCM 2020 Age Friendly Community Funding

Councillor A. De Jong returned to the Meeting at 6:12 p.m.

A presentation was given by Mature Action Community Chair Kathy White and Board Member Michael D'Artois regarding UBCM 2020 Age Friendly Community Funding.

7. PUBLIC QUESTION AND ANSWER PERIOD

There were no questions from the public.

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December 3, 2019
File No.: 253729.14273/14273

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By Email

Resort Municipality of Whistler
Legislative Services Department
4325 Blackcomb Way
Whistler, BC V8E 0X5

Dear Sirs/Mesdames:

Re: Zoning Amendment Bylaw (Glacier 8 - RM13 Zone) No. 2250, 2019

We are counsel for the beneficial owner and resident of a home (the "Owner") located near to the proposed Glacier 8 building (the "Proposed Building"). We write to express our client's opposition to the amendment of RM13 Zone by way of the Zoning Amendment Bylaw (Glacier 8 - RM13 Zone) No. 2250, 2019 (the "Proposed Bylaw"). The Proposed Bylaw would result in the construction of an additional building in an already dense area. Current residents of the area would be significantly affected by the resulting additional congestion; additional traffic; additional noise; loss of peace and quiet; and overall loss of enjoyment of their property. The Proposed Building, without mitigation of congestion issues, will cause increased safety issues as well as significant disruption to the nearby residents, tourist operations, workers, and the guests of Whistler Blackcomb and the other tourist operators.

Background

Glacier Way has only one connection to the rest of the Whistler roadways, off Blackcomb Way. All traffic on Glacier Way must exit back onto Blackcomb Way. Glacier Way, which eventually turns into Glacier Lane, currently services:

- 1) three large parking lots for Whistler Blackcomb visitors (lots 6, 7, and 8);
- 2) a Whistler Blackcomb's service/works yard;

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- 3) the Bobsleigh track and all of its associated facilities;
- 4) Ziptrek's zipline operations;
- 5) Whistler Blackcomb's Tube Park;
- 6) the current Whistler Blackcomb Staff Housing building complex;
- 7) a Whistler Housing Authority housing development; and
- 8) dozens of private residences.

Even with the three large parking lots, cars are parked all along the upper extension of Glacier Lane on busy, Whistler Blackcomb, days. Glacier Lane is a narrow, winding street with only sufficient width to accommodate two lanes of traffic (no shoulder). There are no sidewalks on Glacier Lane, which requires pedestrians to walk on the roadway. Glacier Lane has very limited lighting, which compromises the safety of pedestrians at night, especially in winter.

The Proposed Building Would Result in Additional Congestion

The Proposed Bylaw would allow for the construction of a six-storey building in a 2.58-hectare area where there are already seven four-storey buildings with 333 dwelling units (See December 3, 2019 meeting package, at p. 24: https://www.whistler.ca/sites/default/files/2019/Nov/meeting-package/package/26429/2019-12-03_regular_package.pdf). This 20 percent increase in the number of units would inevitably result in additional congestion for residents of the surrounding areas, which are already affected by existing congestion. As Mr. Brent Murdoch of Murdoch + Company Ltd. acknowledged in an August 26, 2019 letter to Robert Brennan of the Resort Municipality of Whistler, "[t]he site sits within a dense 'campus' style development of 7 existing buildings." (Meeting Package at p. 31). Already dense developments should not be allowed to further increase density by building larger buildings than those already in place.

The Proposed Bylaw would result in increased traffic and congestion to the neighbourhood because, among other things, it would lower the parking requirements for the Proposed Building. Under the current RM13 zone, one parking space is required per dwelling unit (Meeting Package at p. 28). The Proposed Building would therefore be required to have 66 parking units. Yet, initially, the proposal stated that the Proposed Building would have no parking spaces at all (Meeting Package at p. 25). In his August 26, 2019 letter, Mr. Murdoch recognized that "[t]here is limited opportunity to increase parking across the entire complex", thus highlighting the space constraints that already exist in the development today, without any additional buildings. While a parking analysis submitted by Vail Resorts in October 2019 proposed 14 additional parking spaces (Meeting Package at p. 66), this would still result in overflow traffic on public roads. No traffic impact assessment had been submitted as of September 3, 2019 (Meeting Package at p. 26). It is nonetheless obvious that the addition of 66 two-bedroom units potentially housing over 200 individuals, without an adequate number of parking spaces, will lead to increased traffic on public roads, as drivers attempting to reach the new building are unable to find parking on-site and forced to drive around the area looking for alternatives.

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Because of there being only one entrance/exit from Glacier Lane, traffic becomes extremely congested on Glacier Lane (and then Blackcomb Way), on the busier days at Whistler Blackcomb. It is common to have traffic backed up higher than Base 2 (e.g. Lots 7 and 8), and brought to a standstill over a significant period of time each afternoon during the busy ski and biking seasons. Without another route for traffic, this problem has only increased and will only increase in intensity with an increase in population.

We expect that this congestion is impacting operations at the Bobsleigh Track, Ziptrek, and Whistler Blackcomb. We expect that this congestion is causing a negative experience for Whistler Blackcomb's guests. From the local residents' perspective, it is disruptive in terms of mobility, noise, and pollution. Having transit routes up Glacier Lane does not assist when all traffic is at a standstill.

What is more, the Proposed Building creates a serious risk to residents because of its impact on the ability for emergency vehicles to attend to an emergency and delivery patients to emergency care.

The Proposed Building Would Affect the Neighbourhood's Views and Scenery

Furthermore, the Proposed Building would be an unsightly addition to Whistler's views and scenery. At six-storeys and requiring an increase in the maximum building height from 13.7 to 14.6 meters (Meeting Package at p. 28), the Proposed Building would be located on the edge of the property, and therefore be visible from Glacier Lane, the neighbourhood and adjacent properties (Meeting Package at p. 26). It would result in a view with fewer trees and more buildings for residents of the neighbourhood.

The Proposed Building would also require a 28% increase in the Floor-to-Space ratio, from 0.7 to 0.9 (Meeting Package at p. 26). In other words, the Proposed Building would be allowed to occupy a greater portion of the land on which it sits than existing buildings. This would set a dangerous precedent that could result in future buildings inching ever-closer to property lines, thus making Whistler less enjoyable and less attractive visually. Whistler is a desirable tourist destination precisely because it provides visitors unique opportunities to explore and enjoy nature in a quiet and relaxed setting. The construction of new buildings ultimately detracts from Whistler's main appeal and therefore is not in the best long-term interests of Whistler, its permanent residents or its visitors.

The Proposed Building Would Cause Environmental Damage

Finally, The Proposed Building would cause environmental damage, as it would require the clearing of forest and trees on site (Meeting Package at p. 31). For instance, the proposed 1.7 metres reduction of the setback would allow for the removal of trees that are currently in what would be a corner of the Proposed Building. As of November 19, no details on the tree replanting scheme had been provided (Meeting Package at pp. 50-51).

In sum, the Proposed Bylaw would allow for the addition of a larger building to an already dense development, adding heavy congestion to an area already affected by it. The Proposed Building

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would further disturb the views and scenery in the neighbourhood and in Whistler. It would make Whistler more urban and less peaceful. The Proposed Bylaw is therefore not in the interests of Whistler, its residents or its visitors. It should not be adopted unless and until an adequate mitigating measures have been put in place.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP

D. Geoffrey Cowper
Personal Law Corporation

DGC/im