

REFERENCES

Appendix "A" Map of Whistler Village and Whistler Creek core commercial areas

Appendix "B" Correspondence from the Restaurant Association of Whistler and the BC Restaurant and Foodservices Association

Appendix "C" Temporary Outdoor Patios - Draft Process and Submission Requirements

Appendix "D" Whistler Food and Beverage Usage Strategy Recommendations prepared by Thomas Consultants and dated June 28, 2010

Zoning Amendment Bylaw (Outdoor Patios) No. 2284, 2020 (Not Attached)

Liquor Licence Application Processing Fee Amendment Bylaw (Temporary Outdoor Patios) No. 2285, 2020 (Not Attached)

Land Use Procedures and Fees Amendment Bylaw (Temporary Outdoor Patios) No. 2286, 2020 (Not Attached)

PURPOSE OF REPORT

The purpose of this Report is to provide Council with a description of the current situation respecting food and beverage establishments in Whistler, and the need for short term support and long term protection of this important sector of Whistler's tourism economy.

This Report presents a streamlined review and approval process for temporary outdoor patio extensions to support existing food and beverage establishments to comply with physical distancing and capacity limitations ordered by the Provincial Health Officer and seeks the necessary Council resolutions to implement this streamlined process. Additional initiatives by the municipality to support operations are also described.

This Report also presents work that was undertaken under previous Council direction to apply zoning to protect important outdoor patios and food and beverage locations in Whistler's core commercial areas of Whistler Village and Whistler Creek. The Report recommends that Council approve a current resolution directing staff to prepare the necessary zoning amendment bylaw(s) and land use contract amendment bylaw(s) for Council consideration. The Report also seeks Council direction to consult with resort community stakeholders including commercial landlords, the Restaurant Association of Whistler, Hotel Association of Whistler and Tourism Whistler, prior to advancing the necessary bylaws for Council considerations. Passing the recommended resolution will also enable Council consideration of any building permits for changes in use that may conflict with the bylaws under preparation.

DISCUSSION

Overview

Whistler's food and beverage establishments are an essential component of Whistler's resort offering; they satisfy basic visitor needs and key locations and associated outdoor patios are vital to the visitor experience in Whistler's pedestrian-oriented core commercial areas. These areas are a major destination for the large majority of Whistler's visitors, and are where the large majority of visitor accommodations are located. The food and beverage sector employs an estimated 18 per cent of Whistler's workforce and contributes 14 per cent (\$250M) to the \$1.79B gross domestic product generated from Whistler.

An evaluation of existing resort capacities identified real constraints to food and beverage capacity during peak winter and peak summer seasons relative to accommodation and visitor capacities. This is

evidenced by long wait times for visitors to access restaurants during typical meal times and often booked out capacity in many restaurants.

In the current context of the COVID-19 pandemic as declared by the World Health Organization on March 11, 2020, many businesses in Whistler were closed to help stop the spread of COVID-19, which very rapidly saw visitors in the resort decline to near zero. Effective March 20, 2020, the BC Provincial Health Officer ordered premises that provide meal service and drink to close in-person dining and only provide take out or delivery services. Many of Whistler's food and beverage establishments opted to close temporarily.

On May 19, 2020, restaurants and patios across B.C. were permitted to resume in-person dining under strict requirements of the Provincial Health Officer, including operating at a maximum of 50 per cent capacity, allowing groups of up to six people per table, with each group seated at least two metres apart.

Staff have been in discussion with representatives of the Restaurant Association of Whistler (RAW) and select food and beverage operators, and it is estimated that establishments may be faced with more than 50 per cent reductions in patron capacities when applying the physical distancing measures to their current indoor and outdoor space configurations.

On May 27, 2020, Council received a letter from the BC Restaurant and Foodservices Association (attached as Appendix "B") describing the economic impact of the COVID-19 pandemic on B.C.'s restaurants, bars, craft breweries and winery tasting rooms. This letter requests the municipality work creatively and collaboratively with operators to help expand current patio areas, add new patios quickly, and permit dining, liquor service and manufacturer's sampling in controllable public spaces. Correspondence has also been received from RAW, which is also included in Appendix "B". Staff have conducted several meetings and discussions with representatives and members from this sector, including in the preparation of this Report.

Whistler has a history of supporting restaurant patios adjacent to public open space, as part of the overall planning and design of Whistler's village areas. As stated in the Whistler Village Design Guidelines of the Official Community Plan, the success of Whistler depends on the success of the visitor experience. One of the key objectives is creating a village, which is greater than the sum of its parts, where all development shall be planned and designed as an integral part of the Village development plan. Outdoor activity areas are vital to the festive atmosphere of the resort, providing opportunities to "see and be seen". Seating areas and restaurants overlooking pedestrian areas are encouraged.

This Report describes a broad strategy for short term and long term support for the food and beverage sector.

For the immediate needs, this Report outlines a streamlined review and approval process for temporary patio areas to support existing food and beverage establishments to comply with requirements under the Provincial Health Orders. In well-suited locations, these expanded outdoor areas can help food and beverage businesses to operate effectively while maintaining physical distancing, supporting business recovery and viability.

In addition to short term support, long term protection of Whistler's food and beverage sector is also needed, particularly at this critical time. There is a significant concern that current conditions may result in the potential failure of existing establishments and the displacement of key food and beverage locations and capacity to other commercial uses.

The concern over potential conversion of key locations, and the negative impact on the visitor experience and Whistler's tourism economy, is an outstanding concern that has been the subject of previous Council resolutions and staff work programs. A resolution of Council to protect important

outdoor patios and food and beverage locations in Whistler's core commercial areas of Whistler Village and Whistler Creek through zoning was first adopted on October 6, 2008, and was one of the key recommendations of the Whistler Sustainable Retail Study received by Council February 19, 2007 (Information Report 07-14). The initial body of work on this study was undertaken over a 12 month period during 2006 and early 2007 and involved extensive research, information gathering and public consultation. Thomas Consultants Inc., Vancouver-based retail consultants with previous experience in Whistler and resort communities around the world, completed the work program with direction and assistance from staff. A further resolution was adopted by Council on February 17, 2009, reaffirming the previous direction as a priority, and requiring that prior to drafting the recommended zoning bylaw for Council consideration, staff was to first bring forward recommendations concerning the scope and application of this bylaw based on further research and consultation (Administrative Report to Council 09-27).

The work that was subsequently completed, with the assistance of Thomas Consultants, and the Whistler Business Enhancement Committee, a Council-appointed committee for implementation of the retail study and its recommendations, is addressed below. As other priority projects have taken precedence, this work has not previously been presented to Council, and the subject bylaw has remained outstanding. More recently, the recommendations and strategic actions of the Economic Partnership Initiative (EPI) in 2018 identified on-going support for this zoning initiative.

Given the uncertainty of business recovery from COVID-19, and with the expected near term impacts on resort visitation, and operating constraints, there is significant further risk of food and beverage establishment closures and conversions of space to other uses. It is timely for the municipality to secure food and beverage use only, of key locations within Whistler's core commercial areas of Whistler Village and Whistler Creek to support the visitor experience and long term sustainability and vitality of the tourism economy. This Report recommends that Council again reaffirm the direction to undertake preparation of necessary bylaws as a priority project, including consultation with identified stakeholders.

Temporary Use of Outdoor Spaces for Supporting the Food and Beverage Sector

This section of the Report describes the proposed initiatives for supporting the food and beverage sector directed at existing establishments, through the temporary use of outdoor public and private spaces to support operations and address capacity limitations imposed by Provincial Health orders. There are two initiatives:

1. Dedicated temporary outdoor patio areas for food and beverage service, including liquor licensed areas.
2. Common use seating areas for general public use (picnic areas)

These two initiatives are described in greater detail as follows:

Dedicated Temporary Outdoor Patio Areas

These areas would be for use by a single establishment subject to municipal permitting and approval processes. A streamlined process has been developed to respond quickly to the current situation, which involves a number of recommendations.

The streamlined process has been developed to address approvals for temporary patio areas. Permanent requests remain subject to standard municipal review and approval processes.

For temporary outdoor patio areas a single submission is required that integrates temporary permissions to occupy public space, temporary use permits where applicable, and liquor licensing where applicable. The submission requirements are presented in Appendix "C".

The considerations in approving and regulating temporary outdoor patios are described below, along with recommended Council resolutions to implement a streamlined application process.

Land Use

A use cannot occur on a parcel of land unless the zoning applicable to the property permits the use. The majority of properties located in the Whistler Village and Whistler Creek core commercial areas are permitted for outdoor patio use associated with restaurants. Areas where the existing zoning does not currently permit this land use includes Village Commons, Skiers Plaza, a portion of Whistler Olympic Plaza, Florence Peterson Park and municipal roads (rights-of-way and parking areas). With the adjacency of existing food and beverage establishments, these areas could present opportunity for temporary outdoor patios, while enabling sufficient space for general public use of these spaces.

To address the land use issues, Zoning Amendment Bylaw (Outdoor Patios) No. 2284, 2020 has been prepared for Council's consideration of first and second readings. Bylaw 2284 proposes to:

- designate the Whistler Village and Whistler Creek core commercial areas as illustrated in Appendix "A" as temporary use permit areas where outdoor patio areas for food and beverage services including liquor service may be allowed
- permit outdoor patios for food and beverage services on roads vested in the RMOW, to enable the RMOW to grant patio licenses on municipal roads
- amend the TA8 Zone (which applies to the property known as Whistler Village Centre and the plaza area known as Village Commons) to permit auxiliary uses, such as outdoor patios adjacent to restaurants on the same property, for consistency with the other commercial zones in the Whistler Village core commercial area.

Bylaw 2284 proposes that temporary use permits be subject to certain general conditions including:

- Compliance with the Order of the Provincial Health Officer dated May 22, 2020, or any subsequent Order that contains occupancy restrictions and physical distancing requirements;
- Compliance with any liquor license issued by the LCRB;
- Compliance with any liquor license supported by the RMOW;
- No obstruction of pedestrian circulation and significant public and private view corridors;
- The RMOW may require provision of security to restore land to a condition specified in the permit;
- No development permit required if the activity is authorized by a temporary use permit.

Additional conditions may be imposed in the issuance of a temporary use permit. The existing Land Use Procedures and Fees Bylaw delegates to the General Manager the authority to issue temporary use permits. No temporary use permit needs to be issued on lands illustrated in Appendix "A" if the use is otherwise permitted by the Zoning Bylaw.

Municipal Approvals

The municipality's ability to approve and regulate outdoor patios are as described below:

a) Patio licences (for encroachment over municipal/WVLC property)

The municipality requires operators to execute a patio licence agreement for patio encroachments over municipal/WVLC property. The licence contains terms and conditions, insurance requirements, and a termination date. The licence also contains provisions regarding the cancelling of the licence if the terms are not met.

Municipalities must charge rental fees at fair market value, to be in conformance with rules under the *Community Charter* that establish prohibitions against assistance to business, and

associated penalties. The RMOW has utilized the services of real estate appraisers to determine fees, which apply to existing patio areas on municipal property.

For temporary extensions, or new areas, under the current initiative, the standard annual rental fees would be pro-rated and only charged for the actual months of occupation, equating to a monthly rental fee of:

\$ 1.46/sq. ft. of patio area for licenced premises

\$0.57/sq. ft. of patio area for unlicenced premises with service

\$0.26/sq. ft. of patio area for unlicenced premises with no service

Staff are investigating fees relative to the temporary nature of the extensions and locations that are off the Village Stroll.

It has been municipal practice to seek Council's authorization to enter into patio licences on municipal lands. However, the existing Delegation of Signing Authority Bylaw No. 2181, 2018 delegates to a General Manager the authority to execute licence of occupation agreements on municipal lands. To expedite approvals, this Report recommends that the General Manager will exercise the delegation authority that is provided under Bylaw 2181. In addition, where the subject property is owned by the Whistler Village Land Co. Ltd. (WVLC) this Report requests that Council give its support to the WVLC to enter into patio licences on WVLC lands.

b) Written approval for use of Statutory Right of Way (Village North, Village Commons)

Written approval of the municipality is required for an outdoor patio within the village mall statutory right of ways registered over the Village Commons (Larco) property under registration numbers R72503 and CA5937756 and portions of the Village North properties under registration numbers GD005158 and GD043841 in favour of the RMOW. The term and removal of the temporary patio would be addressed in the written approval for any temporary patios in these areas.

c) Temporary Use Permits

The municipality may designate temporary commercial use permit areas where outdoor patios for food and beverage services may be allowed in the Zoning Bylaw and specify general conditions regarding the issuance of temporary use permits. This Report proposes a zoning amendment bylaw to implement this approach on lands. Refer to Land Use section above.

d) Liquor Licence

Liquor licence approval will be integrated with the other approvals.

The provincial Liquor and Cannabis Regulation Branch (LCRB) has expedited liquor licence approvals for temporary patios and has given municipalities the option to review and approve all individual requests for liquor primary and manufacturer expansions prior to licensees submitting their applications to LCRB, or provide one pre-approval to cover all of these application types. This Report recommends that Council direct staff to review and approve all individual requests of these application types and not support the blanket approval of these applications to ensure consistency in permitting taking into consideration municipal objectives and site conditions.

The LCRB however, has indicated that requests for food primary establishments will not be required to obtain local government approval to expand. The LCRB approval recognizes the jurisdictions and authorities of local government and requires all applicants to affirm through an online disclosure that they have met all local government requirements. As such, food primary licences must ultimately abide by all local bylaws and acquire any necessary permits and approvals.

Development Permits may be required depending on the nature and extent of improvements. Development Permits will not be required for activities authorized by a temporary use permit.

Application Fees

The established fees in the municipality's existing fees bylaws are structured to recover the cost of municipal staff time to process applications.

Land Use Procedures and Fees Amendment Bylaw (Temporary Outdoor Patios) No. 2286, 2020 proposes to apply a common single \$240 fee, not a cumulative fee, for temporary outdoor patio approvals, whether a business requires a temporary use permit, a patio licence agreement with the RMOW/WVLC, or written approval from the RMOW for use of the village mall statutory right of ways over Village North and Village Commons. In addition to the application fee, applicants for a temporary use permit will be responsible for paying for the required notice of permit in the newspaper.

Liquor Licence Application Processing Fee Amendment Bylaw (Temporary Outdoor Patios) No. 2285, 2020 proposes that no fee be charged for liquor licencing associated with temporary outdoor patio areas complying with Policy Directive No. 20-13 of the Liquor and Cannabis Regulation Branch (LCRB). It is expected that the considerations for liquor licencing are essentially addressed through the review and consideration of the temporary patio approvals and are covered by the \$240 fee required under the Land Use Procedures and Fees Amendment Bylaw (Temporary Outdoor Patios) No. 2286, 2020.

Business Regulations

Whistler's Business Licence and Regulation Bylaw No. 2253, 2019 requires that business or marketing cannot occur in a public place without a licence for the business together with any other applicable permit or approval issued by the municipality or a lease from the WVLC authorizing the activity at the time and location indicated. Such authorizations would include patio licences and written approval for use within the village mall statutory right of ways as described in the related sections above. It also provides that a business shall not be conducted in a privately owned or leased outdoor patio area unless the business is also licenced to operate in an adjacent indoor premises.

Opportunities for restaurant establishments without space available for use as patios

The municipality will be increasing the number of picnic tables in select locations throughout Whistler Village to increase public seating for take-out opportunities. In recent years, the municipality has provided a number of picnic tables in Whistler Olympic Plaza and Mountain Square for the use of visitors and to add vibrancy to these areas. In addition to these, for 2020 summer it is planned to purchase additional picnic tables for these areas and other potential square and plaza location in the village, while still ensuring appropriate physical distancing measures can be maintained.

Consideration is also being given to possible patio areas on select municipal roads in the village core commercial area, and this will be determined in consultation with local area merchants as well as a cross functional team of municipal staff.

In its correspondence, the Restaurant Association of Whistler suggested temporarily designating and permitting liquor consumption in publicly owned and operated spaces to complement and align with the temporary orders allowing take-out liquor from liquor and food primary establishments. The consumption of alcohol in public spaces open to the general public, such as the squares and plazas in Whistler Village, has significant potential implications that would need to be given careful consideration and consultation with diverse opinions and perspectives expected. Potential concerns include the ability to maintain a family friendly environment in the core commercial areas and in Whistler's parks, as well as liability, and additional resourcing and operational requirements. This work will be further investigated subsequent to the recommendations in this Report being implemented.

Securing Key Food and Beverage Locations through Zoning

As presented in the Whistler Sustainable Retail Study and previous Council reports, restaurants are an essential component of the customer experience of any successful resort and retail environment. People are attracted to people. To create life and vitality, and opportunities to see and be seen, restaurants are strategically located with outdoor seating areas in highly visible locations adjacent to public spaces. They become part of the life and social dynamic of the place. They slow people down and immerse them in the experience.

The strategy of anchoring public spaces with restaurants and outdoor seating has been engrained in the planning, design and development of Whistler Village, as well as Franz's Trail in Whistler Creek. The master plans for the Original Village and Village North expansion area created specific locations designed to take advantage of solar access, views and pedestrian visibility. These locations are a highly valued part of the social fabric of Whistler and of what makes Whistler special. They are critical to Whistler's on-going success.

A second important aspect of restaurants is the actual provision of food service to fulfill a basic need of the customer base. This is particularly important for a resort destination like Whistler which has a large population of day visitors and overnight guests. Maintaining an adequate supply of food service, consistent with its accommodation base, is also considered to be critical to Whistler's on-going success. An evaluation of existing resort community capacities, completed as part of the work of the EPI, showed constraints to food and beverage capacity in peak winter and peak summer seasons relative to accommodation and visitor capacity, and was evidenced by long delays, or inability to access table reservations in the resort during these times.

Status of Work Completed

Staff retained Thomas Consultants, specialists in providing optimal retail development and revitalization strategies to research and develop an approach to protecting restaurant use. Below is a summary of the process and work that was completed during 2009-2010:

1. A completed inventory of existing restaurants in Whistler's core commercial areas documenting key attributes including: zoning, size, licensed or unlicensed, number of licensed seats, patio, on stroll or off stroll location, plaza location, venting, views, sun exposure.
2. A map of existing restaurant locations in Whistler's core commercial areas.
3. Review of all municipal policies, regulations and practices respecting restaurants in Whistler.
4. Site visits to observe and analyze the surrounding context and adjacent uses, pedestrian circulation, views, sun exposure and existing infrastructure.
5. Comparative evaluations of Whistler's retail mix to that of other successful alpine resorts, tools and strategies used by other resorts.
6. One on one consultations with a number of existing landlords and restaurant owners (both owned space and tenants) respecting spot zoning.
7. Evaluation of restaurants locations utilizing a two stage evaluation criteria to determine critical important restaurant locations. The first stage ranked existing restaurant locations as high, medium or low importance based on location, existing patio (or patio opportunity), views and sun exposure. The high and medium ranked locations went through a second stage analysis and ranked using four criteria and a score of 1-5 where five was highest valued:
 - a. Activates a key Village area
 - b. Clearly leverages view potential – both natural and man-made and sun exposure

- c. Facilitates wayfinding, pedestrian circulation/flow along key Village connections
- d. Makes use of existing food and beverage related infrastructure.

The final report prepared by Thomas Consultants, Whistler Food and Beverage Usage Strategy Recommendations, is attached as Appendix “D”. The report recommends a zoning approach to protect important restaurant locations to create a transparent process to ensure the long-term prosperity of the Village retail areas. In total there were 40 locations identified. Since completion of the report in 2010, five of these locations have fully or partially converted to another use and two are currently vacant.

Proposed Zoning/Land Use Contract Amendment Bylaws

The purpose of the proposed zoning amendment bylaw(s) and land use contract amendment bylaw(s) will be to restrict the use of key food and beverage locations in the Whistler Village and Whistler Creek core commercial areas as illustrated on Schedule “A” that are considered important to the resort experience and local tourism economy to such use only.

To inform the bylaw, the inventory of occupied and vacant food and beverage locations will be updated based on current status, and then analyzed utilizing the two stage evaluation criteria developed by Thomas Consultants to determine the most important locations to be protected. The identified locations will be secured for long-term food and beverage use by restricting the use of each location to food and beverage use only. For identified locations regulated by Zoning and Parking Bylaw 303, this would be achieved by creating a zoning amendment bylaw to amend the affected zone by restricting the use of the applicable strata lot and/or commercial retail unit space within that zone to food and beverage use only. For identified locations regulated by Land Use Contract, provincial legislation requires the agreement of the land owner to amend permitted uses of a Land Use Contract. If this agreement can be successfully achieved, a land use contract amendment bylaw would be created to restrict use of the applicable strata lot and/or commercial retail unit space to food and beverage use only. This may also be achieved through the municipality’s land use contract discharge and zoning process.

Staff will consult with resort community stakeholders including commercial landlords, the Restaurant Association of Whistler, Hotel Association of Whistler and Tourism Whistler, prior to advancing the bylaws for Council consideration.

A public information meeting would also normally be conducted, the purpose being to provide the public with information on the proposed direction to spot zone and an opportunity for input. Given the current pandemic and restrictions on public meetings, staff propose that an online information and input opportunity be provided in lieu of a formal public meeting. This opportunity would be advertised in the newspaper and posted on the municipality’s web-site and would be held in advance of bringing forward the amendment bylaws for consideration by Council.

All application information that has been presented to Council for consideration will be made available on the RMOW website. Staff propose a 30-day period to allow for public review and submission of any public comments.

All correspondence received and a summary of public input received would then be included in a subsequent Council Report when staff brings forward the amendment bylaws for consideration by Council.

The proposed amendment bylaws would be also be subject to Public Hearing requirements, adhering to provincial regulations.

The Council resolution to prepare the bylaws enables the municipality to withhold for 30 days, any building permits received 7 days or more after the resolution that are considered to be in conflict with the resolution, and may direct the permit be withheld for a further 60 days or grant the permit. If bylaw

is not adopted in the 60 day period, the owners are entitled to compensation for damages arising from the withholding of the building permit.

The bylaws will secure long term, the locations that are considered important to the resort experience and local tourism economy, and is analogous to the zoning of hotel locations which was advanced through a similar comprehensive review process, to protect the fundamental planning framework for the Whistler Village and Whistler Creek core commercial areas.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Built Environment	To maintain vibrancy, Whistler Village is the core of the resort community.	The recommendations of this report will enable and protect land uses in Whistler Village that contribute to vibrancy.
Economic	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services.	The recommendations of this report will enable and protect land uses and infrastructure that contribute positively to the resort experience, in turn protecting and enhancing the collective value of investments in the resort community. It will also contribute to ensuring food and beverage supply is able to meet demands of visitors based on accommodation capacities.
	Physical and social infrastructure attracts and supports work and investment. Whistler's core accommodation base and long-term investments made in the community are protected.	
Finance	Whistler has a healthy economy that generates revenue to contribute to the resort's funding base.	The recommendations of this report seek to support the short term and long term sustainability of Whistler's tourism economy.
Partnership	Residents, taxpayers, business and local government hold a shared vision for the resort community and work in partnership to achieve the vision.	This has been a focus of the engagement to date. This zoning approach is recommended in the 2007 Whistler Sustainable Retail Strategy and the 2018 Economic Partnership Initiative actions.
	Decisions consider the community's values as well as short and long-term social, economic and environmental consequences.	Not protecting restaurant use in locations critical to ongoing vitality and visitor experience may have far greater long-term consequences on the resort community as a whole in terms of resort experience and overall economic viability.
Recreation and Leisure	Recreation and leisure is a core contributor to the Whistler economy.	The recommendations of this report will enable and protect land uses that contribute to this description.
Visitor Experience	The resort community's sense of place and engaging, innovative and renewed offerings attract visitors time and time again.	The zoning approach will protect existing land uses in Whistler's core commercial areas that contribute to this description.

W2020 Strategy	AWAY FROM Descriptions of success that resolution moves away from	Mitigation Strategies and Comments
Economic	The Whistler economy provides opportunities for achieving competitive return on invested capital.	The zoning approach is directed at maximizing the collective economic value for the resort community as a whole. It does not necessarily maximize individual returns on invested capital.
	Whistler holds competitive advantage in the destination resort marketplace as a result of its vibrancy and unique character, products and services.	The zoning approach could have unintended consequences such as vacant space for longer periods due to the use restriction.
Finance	Whistler lives within its financial means.	BC Assessment comments that the effect of use restriction on assessed value will vary; some assessed values may remain unchanged and some may go down, resulting in similar effect on market value of individual investments and property tax revenue. However, long-term the zoning approach seeks to drive visitor satisfaction and net promoter scores, in turn driving revenues through hotel tax and F&B venues which does support asset values over time
	Whistler has a healthy economy that generates revenue to contribute to the resort's funding base.	

OTHER POLICY CONSIDERATIONS

The zoning approach to secure key food and beverage locations will establish regulation to support existing practices, policies and regulations. The zoning approach also implements and supports Economic Partnership Initiative strategies and actions, and recommendations contained in the Whistler Retail Strategy.

BUDGET CONSIDERATIONS

The applications fees proposed in this Report recognize the temporary nature of the patio applications while ensuring the municipality follows a consistent fee approach respecting land use and liquor licensing application fees.

If dedicated temporary patios are approved to encroach over pay parking stalls managed by the municipality, the operator would have to enter into the municipality's standard patio license agreement. As parking revenues are greater than patio square footage license fees, it is estimated there would be a 25 - 30 per cent reduction in monthly revenues for each parking stall converted to a temporary patio.

On a resort community scale, protecting important social food and beverage spaces will positively contribute to the year-round liveliness and vibrancy of the resort's public spaces, thereby enhancing guest experiences, satisfaction levels and net promoter scores. This in turn positively contributes to the long term economic viability of the entire resort.

Municipal staff will be leading and conducting the majority of the work effort to implement the recommendations of this Report for securing key restaurant locations, with some legal support. These resources are accounted for in municipal budgets.

COMMUNITY ENGAGEMENT AND CONSULTATION

Staff have engaged with members of the Restaurant Association of Whistler, select operators and adjacent businesses respecting temporary outdoor patios. Any approval of temporary outdoor patios over parking spaces will require prior support of adjacent businesses.

A description of the community engagement and consultation proposed for securing important restaurant locations is contained in the Discussion section of this Report.

SUMMARY

This Report presents a streamlined review and approval process for temporary outdoor patio extensions to support existing food and beverage establishments to comply with physical distancing and capacity limitations ordered by the Provincial Health Officer and seeks the necessary Council resolutions to implement this streamlined process. Additional initiatives by the municipality to support operations are also described.

This Report also presents the work completed to date to develop an approach to protecting food and beverage use and recommends that Council direct staff to prepare the necessary zoning amendment bylaw(s) and land use contract amendment bylaw(s) to secure food and beverage use only of locations in Whistler's core commercial areas of Whistler Village and Whistler Creek to support the long term sustainability of Whistler's tourism economy.

Respectfully submitted,

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for
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